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Agencies in this issue—

Air Force Department
Civil Aeronautics Board
Consumer and Marketing Service
Customs Bureau
Engineers Corps
Federal Aviation Agency
Federal Communications Commission
Federal Maritime Commission
Federal Power Commission
Federal Trade Commission
Fish and Wildlife Service
Food and Drug Administration
Health, Education, and Welfare
Department
Immigration and Naturalization
Service
Internal Revenue Service
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Social Security Administration
State Department
Veterans Administration

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Current White House Releases

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS

The *Weekly Compilation of Presidential Documents* began with the issue dated Monday, August 2, 1965. It contains transcripts of the President's news conferences, messages to Congress, public speeches, remarks and statements, and other Presidential material released by the White House up to 5 p.m. of each Friday. This weekly service includes an Index of Contents preceding the text and a Cumulative Index to Prior

Issues at the end. Cumulation of this index terminates at the end of each quarter and begins anew with the following issue. Semiannual and annual indexes are published separately.

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PART 264—REGISTRATION AND FINGERPRINTING OF ALIENS IN THE UNITED STATES

Conditional Entries and Replacement of Registration

The following amendments to Chapter I of Title 8 of the Code of Federal Regulations are hereby prescribed:

1. Paragraph (c) *Application* of § 235.9 *Conditional entries* is amended by deleting the existing last three sentences and inserting in lieu thereof the following two sentences: "The applicant shall be notified of the decision and, if the application is denied, of the reasons therefor. No appeal shall lie from the denial of an application by the officer in charge."

2. Existing paragraphs (d) *Inspection of conditional entrant as to admissibility for permanent residence* and (e) *Termination of conditional entrant status* of § 235.9 *Conditional entries* are redesignated as paragraphs (e) and (f), respectively, and new paragraph (d) is inserted to read as follows:

(d) *Approved application.* The approval of an application by an officer in charge outside the United States authorizes the district director at a port of entry to effect the conditional entry of the applicant upon arrival at such port within 4 months after the date of the approval. Upon arrival, every conditional entrant 14 years old or over shall execute Form I-592. For the purposes of section 203 (g) and (h) of the Act, the 2-year period shall commence on the date of the applicant's conditional entry into the United States.

3. The sixth sentence of paragraph (c) *Replacement of registration* of § 264.1 *Registration and fingerprinting* is amended to read as follows: "Application by an alien lawfully admitted for permanent residence for Form I-151, Alien Registration Receipt Card, in lieu of one lost, mutilated, or destroyed, or who requests issuance of such card in a name which has been changed after registration by order of any court of competent jurisdiction or by marriage, shall be made on Form I-90 accompanied by the fee required by § 103.7(c) of this chapter, two photographs, unless the requirement for such photographs has been waived by the district director in his discretion be-

cause of hardship to an applicant who is confined due to age or physical infirmity, and, when issuance of Form I-151 is desired in a changed name, by appropriate documentary evidence of such change."

(Sec. 103, 66 Stat. 173; 8 U.S.C. 1103)

This order shall be effective on the date of its publication in the FEDERAL REGISTER. Compliance with the provisions of section 553 of Title 5 of the United States Code (P.L. 89-554, 80 Stat. 383) as to notice of proposed rule making and delayed effective date is unnecessary in this instance because the rules prescribed by the order relate to agency procedure and confer benefits upon persons affected thereby.

Dated: December 13, 1966.

RAYMOND F. FARRELL,
Commissioner of
Immigration and Naturalization.

[F.R. Doc. 66-13514; Filed, Dec. 15, 1966;
8:48 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER C—AIRCRAFT

[Docket No. 7620; Amdt. 39-321]

PART 39—AIRWORTHINESS DIRECTIVES

British Aircraft Corp. Model BAC 1-11, 200 and 400 Series Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive to establish service life limits for the flap carriage links on British Aircraft Corp. Model BAC 1-11, 200 and 400 Series airplanes was published in 31 F.R. 12534.

Interested persons have been afforded an opportunity to participate in the making of the amendment. No objections were received.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

BRITISH AIRCRAFT CORP. Applies to Model BAC 1-11, 200 and 400 Series airplanes. Compliance required as indicated.

To prevent fatigue failures of the flap carriage links, accomplish the following until links, P/N AB09 A943, are replaced with modification PM 2245 links, P/N AB09 A3657:

(a) For 200 Series airplanes having No. 1 flap links with less than 2,500 landings on the effective date of this AD, remove links from service before the accumulation of 3,000 landings.

(b) For 200 Series airplanes having No. 1 flap links with 2,500 or more landings on the effective date of this AD, remove links from service within the next 500 landings after the effective date of this AD.

(c) For 200 Series airplanes having No. 2 flap links with less than 11,500 landings on the effective date of this AD, remove links from service before the accumulation of 12,000 landings.

(d) For 200 Series airplanes having No. 2 flap links with 11,500 or more landings on the effective date of this AD, remove links from service within the next 500 landings after the effective date of this AD.

(e) For 200 Series airplanes having No. 3 flap links with less than 23,500 landings on the effective date of this AD, remove links from service before the accumulation of 24,000 landings.

(f) For 200 Series airplanes having No. 3 flap links with 23,500 or more landings on the effective date of this AD, remove links from service within the next 500 landings after the effective date of this AD.

(g) For 400 Series airplanes having No. 1 flap links with less than 1,500 landings on the effective date of this AD, remove links from service before the accumulation of 2,000 landings.

(h) For 400 Series airplanes having No. 1 flap links with 1,500 or more landings on the effective date of this AD, remove links from service within the next 500 landings after the effective date of this AD.

(i) For 400 Series airplanes having No. 2 flap links with less than 7,500 landings on the effective date of this AD, remove links from service before the accumulation of 8,000 landings.

(j) For 400 Series airplanes having No. 2 flap links with 7,500 or more landings on the effective date of this AD, remove links from service within the next 500 landings after the effective date of this AD.

(k) For 400 Series airplanes having No. 3 flap links with less than 15,500 landings on the effective date of this AD, remove links from service before the accumulation of 16,000 landings.

(l) For 400 Series airplanes having No. 3 flap links with 15,500 or more landings on the effective date of this AD, remove links from service within the next 500 landings after the effective date of this AD.

(m) For the purpose of complying with this AD, subject to acceptance by the assigned FAA maintenance inspector, the number of landings may be determined by dividing each airplane's hours' time in service by the operator's fleet average time from takeoff to landing for the airplane type.

(British Aircraft Corp. (Operating) Ltd. (Weybridge Division), Alert Service Bulletin No. 27-A-PM2245 pertains to this subject).

This amendment becomes effective January 15, 1967.

(Secs 313(a), 601, 603; Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C. on December 12, 1966.

C. W. WALKER,
Director Flight Standards Service.
[F.R. Doc. 66-13479; Filed, Dec. 15, 1966;
8:45 a.m.]

[Docket No. 7804; Amdt. 39-320]

**PART 39—AIRWORTHINESS
DIRECTIVES****Dornier Do 28-B-1 Airplanes**

There have been reports of cracks in the P/N 28.315-01 H01 brackets attaching the front horizontal stabilizer spar to the fuselage on Dornier Model Do 28-B-1 airplanes. The cracking was found to be caused by a combination of fatigue failure in the bracket, and a loose fitting stabilizer jackscrew plate, causing additional wear. Since this condition is likely to exist or develop in other airplanes of this model, an airworthiness directive is being issued requiring inspection of the brackets at specified intervals, and immediate replacement of those brackets with cracks in them greater than one-half inch. All P/N 28.315-01 H01 brackets with less than one-half inch cracks in them are to be inspected at intervals not to exceed 10 hours' time in service, and replaced upon an accumulation not to exceed 100 hours' time in service.

Since immediate action is required in the interest of safety, compliance with the notice and public procedure provisions of the Administrative Procedure Act is not practicable, and good cause exists for making this rule effective in less than 30 days.

In consideration of the foregoing, and under the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

DORNIER. Applies to all Dornier Model Do 28-B-1 airplanes.

Compliance required as indicated.

To detect cracks of the horizontal stabilizer spar in fuselage attachment brackets, accomplish the following:

(a) Within the next 10 hours' time in service after the effective date of this AD, unless already accomplished within the last 90 hours' time in service before the effective date of this AD and thereafter at intervals as specified below, visually inspect the welded hinge brackets P/N 28.315-01 H01 on the stabilizer front spars for cracks in the base plate in the area of the upper and lower spar flanges, using a lamp, mirror, and at least a 3-powered glass.

(b) If no cracks are found as a result of the inspection required by paragraph (a), the bracket is considered serviceable and the inspection must be repeated at intervals not to exceed 100 hours' time in service since the last inspection.

(c) If cracks of less than one-half inch in length are found, the inspection must be repeated at intervals not to exceed 10 hours' time in service, up to a maximum of 100 hours' time in service since the initial inspection. Upon accumulation of 100 hours' time in service since initial inspection, replace bracket P/N 28.315-01 H01 with new bracket P/N 28.315-01 H03 or FAA-approved equivalent.

(d) If cracks greater than one-half inch in length are found, prior to next flight, replace bracket P/N 28.315-01 H01 with new bracket P/N 28.315-01 H03 or FAA-approved equivalent.

(e) The repetitive inspections required by paragraphs (a), (b), and (c) may be dis-

continued after new replacement bracket P/N 28.315-01 H03 is installed.
(Dornier Technical Bulletin No. 28-44 dated Oct. 11, 1966, pertains to this subject.)

This amendment becomes effective December 26, 1966.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, and 1423)

Issued in Washington, D.C., on December 12, 1966.

C. W. WALKER,
Director, Flight Standards Service.

[F.R. Doc. 66-13480; Filed, Dec. 15, 1966; 8:45 a.m.]

[Docket No. 3019; Amdt. 39-319]

**PART 39—AIRWORTHINESS
DIRECTIVES****Piper Model PA-23 and PA-23-160
Airplanes**

Amendment 663 (28 F.R. 14238), AD 63-26-3, as amended by Amendment 39-227 (31 F.R. 6296), requires repetitive inspection and replacement of the castings that control and attach the elevator, rudder, and stabilizers on certain Piper Model PA-23 and PA-23-160 airplanes. Subsequent to the issuance of Amendment 663, the Agency has determined that difficulty has been encountered in distinguishing between the castings and forgings on the airplanes being inspected and that one of the part numbers was erroneously listed in the AD. Therefore, the AD is being further amended to clarify the identifying characteristics of the forgings and castings and to correct the erroneous part number listing.

Since this amendment provides a clarification only and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the amendment may be made effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 663 (28 F.R. 14238), AD 63-26-3, as amended by Amendment 39-227 (31 F.R. 6296), is further amended as follows:

1. By striking out the numeral "19409-00" in the third column of the table therein and inserting the numeral "19409-02" in place thereof.

2. By adding the following sentence to the note in paragraph (a). "All of the forged parts listed herein have integral raised digit forging numbers. Therefore, the absence of raised digits will serve to identify the part as a casting."

This amendment becomes effective December 16, 1966.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421 and 1423)

Issued in Washington, D.C., on December 9, 1966.

C. W. WALKER,
Director, Flight Standards Service.

[F.R. Doc. 66-13481; Filed, Dec. 15, 1966; 8:45 a.m.]

[Docket No. 6862; Amdt. 39-318]

**PART 39—AIRWORTHINESS
DIRECTIVES****Boeing Models 707 and 720 Series
Airplanes; Main Landing Gear Rear
Axles**

Airworthiness Directive 66-7-1 applies to Boeing Models 707 and 720 Series airplanes main landing gear rear axles. The AD exempted several models of aircraft from its operation, but did not exempt Boeing Models 707-100, 707-100B, 707-200, 720, and 720B Series airplanes with axles replaced in accordance with Boeing Service Bulletin No. 2246, or later FAA-approved revision. Service Bulletin No. 2246 applies to cracking of the main landing gear rear axle, and requires that existing axles be replaced with axles made of higher strength steel, with an aluminum-nickel-bronze bushing extending completely through the trunk assembly. As paragraph (2) of AD 66-7-1 applies to cracking in the rear axle main landing gear and does not allow for modifications as approved by the Aircraft Engineering Division, FAA Western Region, it is necessary to revise the applicability statement of the AD to exempt those aircraft complying with Boeing Service Bulletin No. 2246.

Since this amendment relieves a restriction, and imposes no additional burden on any person, compliance with notice and public procedure provisions of the Administrative Procedure Act is unnecessary and the amendment may be made effective in less than 30 days.

In consideration of the foregoing and under the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-204, "Applicability statement," is revised to read as follows:

BOEING. Applies to Models 707, 720, and 720B Series airplanes, except Models 707-100 and 707-200 Series airplanes with axles modified in accordance with Paragraph 3, "Modification Data," of Boeing Service Bulletin 2028, or later FAA-approved revision; Models 707-300, 707-400, 720, and 720B Series airplanes with axles modified in accordance with the optional rework procedure of Boeing Service Bulletin No. 2221, or later FAA-approved revision; Models 707-100, 707-100B, 707-200, 720, and 720B Series airplanes with axles replaced in accordance with Boeing Service Bulletin No. 2246, or later FAA-approved revision; Model 707-121B; Model 707-139B; Model 707-131B; Model 707-300B Series airplanes; Model 707-300C Series airplanes; and airplanes modified to incorporate landing gears with the 4 brake rod (equalizer gear) configuration.

This amendment becomes effective December 16, 1966.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, and 1423)

Issued in Washington, D.C., on December 9, 1966.

C. W. WALKER,
Director, Flight Standards Service.

[F.R. Doc. 66-13482; Filed, Dec. 15, 1966; 8:45 a.m.]

SUBCHAPTER E—AIRSPACE

[Airspace Docket No. 66-AL-1]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Revocation of Control Area Extension, Alteration of Control Zone, and Designation of Transition Area

On November 4, 1966, F.R. Doc. 66-12007 was published in the FEDERAL REGISTER (31 F.R. 14260) amending Part 71 of the Federal Aviation Regulations by revoking the Cold Bay, Alaska, control area extension, amending the Cold Bay control zone, and designating the Cold Bay transition area.

Further study and coordination of operational procedures with ICAO is required. Therefore, the amendments and effective date of January 5, 1967, specified in Airspace Docket No. 66-AL-1 must be delayed.

In view of the imminence of the effective date of the subject amendment, notice and public procedure hereon are impracticable, and good cause exists for making this amendment effective on less than 30 days notice.

In consideration of the foregoing, the effective date of the amendments to Part 71 of the Federal Aviation Regulations specified in Airspace Docket No. 66-AL-1 is postponed indefinitely. Notice of the effective date will be published by appropriate rule.

(Secs. 307(a), 1110, Federal Aviation Act of 1958; 49 U.S.C. 1348, 1510; E.O. 10854, 24 F.R. 9565)

Issued in Washington, D.C., on December 9, 1966.

H. B. HELSTROM,
Chief, Airspace and Air
Traffic Rules Division.

[F.R. Doc. 66-13483; Filed, Dec. 15, 1966; 8:45 a.m.]

[Airspace Docket No. 66-WE-83]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Federal Airway

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to realign V-165 from the San Diego, Calif., VORTAC via the intersection of the San Diego VORTAC 270° and the Oceanside, Calif., VORTAC 177° True radials (Sargo Int); to the Oceanside VORTAC. This segment of V-165 is presently designated from the Lindbergh Field, Calif., VOR via Sargo Int, to the Oceanside VORTAC. Airport construction in the vicinity of the Lindbergh Field VOR will render this facility unusable for support of the Federal airway structure. Accordingly, the above mentioned action to realign V-165 is taken herein.

Since this amendment is in the interest of safety, the Administrator has determined that notice and public procedure hereon is impractical.

Since this action involves the designation of navigable airspace outside the United States, the Administrator has

consulted with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., February 2, 1967, as hereinafter set forth.

1. Section 71.123 (29 F.R. 2009, 2475) is amended as follows:

In V-165 all before "Oceanside, Calif., 177° radials;" is deleted and "From San Diego, Calif., via INT San Diego 270° and" is substituted therefor.

(Secs. 307(a), 1110 Federal Aviation Act of 1958; 49 U.S.C. 1348, 1510 and E.O. 10854, 24 F.R. 9565)

Issued in Washington, D.C., on December 9, 1966.

H. B. HELSTROM,
Chief, Airspace and Air
Traffic Rules Division.

[F.R. Doc. 66-13484; Filed, Dec. 15, 1966; 8:45 a.m.]

[Airspace Docket No. 66-CE-42]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Zone and Transition Area

On June 30, 1966, a supplemental notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 9009) stating that the Federal Aviation Agency proposed to alter controlled airspace in the Jamestown, N. Dak., terminal area.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. The one comment received was favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., February 2, 1967, as hereinafter set forth:

(1) In § 71.171 (31 F.R. 2065), the Jamestown, N. Dak., control zone is amended to read:

JAMESTOWN, N. DAK.

Within a 5-mile radius of Jamestown Municipal Airport (latitude 46°55'55" N., longitude 98°40'40" W.); within 2 miles each side of the Jamestown VORTAC 308° radial, extending from the 5-mile radius zone to 8 miles NW of the VORTAC; and within 2 miles each side of the Jamestown VORTAC 140° radial, extending from the 5-mile radius zone to 8 miles SE of the VORTAC.

(2) In § 71.181 (31 F.R. 2149), the Jamestown, N. Dak., transition area is amended to read:

JAMESTOWN, N. DAK.

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Jamestown Municipal Airport (latitude 46°55'55" N., longitude 98°40'40" W.); and that airspace extending upward from 1,200 feet above the surface within a 17-mile radius of Jamestown Municipal Airport. (Sec. 307(a) Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Kansas City, Mo., on November 28, 1966.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 66-13485; Filed, Dec. 15, 1966; 8:45 a.m.]

[Airspace Docket No. 66-WA-37]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to redescribe the Western boundary of Control 1487 and to eliminate the dual designation of that portion of Control 1487 which coincides with Control 1310.

Action is taken herein to substitute the eastern boundary of the Anchorage Oceanic Control Area for geographic coordinates as the western boundary of Control 1487 without effecting a substantive change therein, and to exclude that portion of Control 1487 which coincides with Control 1310.

Since this amendment is editorial in nature and does not alter the extent of the Control Area involved, notice and public procedure thereon are unnecessary and the amendment may be made effective without regard to the 30-day statutory period preceding effectiveness.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective upon publication in the FEDERAL REGISTER as hereinafter set forth.

In § 71.163 (31 F.R. 2050, 6959) Control 1487 is amended by deleting everything after "latitude 54°14'00" N., longitude 134°57'00" W." and substituting "thence along the eastern boundary of the Anchorage Oceanic control area to the point of beginning. The portion within Control 1310 and the portion within Canada is excluded."

(Secs. 307(a), 1110, Federal Aviation Act of 1958; 49 U.S.C. 1348, 1510; E.O. 10854 (24 F.R. 9565))

Issued in Washington, D.C., on December 9, 1966.

LOUIS H. McCAUGHEY,
Acting Chief, Airspace and
Air Traffic Rules Division.

[F.R. Doc. 66-13486; Filed, Dec. 15, 1966; 8:46 a.m.]

[Airspace Docket No. 66-WA-26]

PART 73—SPECIAL USE AIRSPACE

Extension of Time of Designation of Temporary Restricted Area

The purpose of this amendment to Part 73 of the Federal Aviation Regulations is to extend the time of designation of White Sands Proving Grounds, N. Mex. Restricted Area R-5116A from January 10, 1967, through March 10, 1967.

The previous designation of R-5116A was by a rule published in the FEDERAL REGISTER on November 2, 1966 (31 F.R. 13987) and was for the period November 10, 1966, through January 10, 1967, in support of a classified project associated with the Hound Dog Missile Program.

The utilization of R-5116A is continuing upon successful completion of a first-stage operation conducted at Eglin Air Force Base, Fla. However, due to

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delays experienced at Eglin, R-5116A has not yet been activated and the Department of the Air Force has requested an extension through March 10, 1967, to complete their program. All conditions pertaining to the present designation, as itemized in the notice of proposed rule making published in the FEDERAL REGISTER (31 F.R. 12452) will be applicable to the extension.

The Administrator has determined that, in the interest of National Defense,

the designation of the temporary restricted area should be continuous, therefore, notice and public procedure thereon would be impracticable.

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended effective 0001 e.s.t., January 11, 1967, as hereinafter set forth.

In § 73.51 (31 F.R. 2323, 13987) the White Sands Proving Grounds, N. Mex., Restricted Area R-5116A is amended by

deleting "January 10, 1967" from the Time of Designation and substituting therefor "March 10, 1967".

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348).

Issued in Washington, D.C., on December 8, 1966.

WILLIAM E. MORGAN,
Acting Director, Air Traffic Service.

[F.R. Doc. 66-13487; Filed, Dec. 15, 1966; 8:46 a.m.]

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 7776; Amdt. 514]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

The amendments to the standard instrument approach procedures contained herein are adopted to become effective when indicated in order to promote safety. The amended procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the complete procedure is republished in this amendment indicating the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In view of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 97 (14 CFR Part 97) is amended as follows:

1. By amending the following low or medium frequency range procedures prescribed in § 97.11(a) to read:

LFR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	

PROCEDURE CANCELED, EFFECTIVE 7 JAN. 1967.

City, Harrisburg; State, Pa.; Airport name, Harrisburg-York State; Elev., 347'; Fac. Class., SBRAZ; Ident., HR; Procedure No. 1, Amdt. 6; Eff. date, 13 Oct. 62; Sup. Amdt. No. 5; Dated, 14 July 62

2. By amending the following automatic direction finding procedures prescribed in § 97.11(b) to read:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	

PROCEDURE CANCELED, EFFECTIVE 7 JAN. 1967, OR UPON COMMISSIONING OF SHOALS BCM.

City, Chesapeake; State, Ohio; Airport name, Huntington; Elev., 560'; Fac. Class., BH; Ident., HTW; Procedure No. 1, Amdt. 3; Eff. Date, 27 July 63; Sup. Amdt. No. 2; Dated, 19 Oct. 57

PROCEDURE CANCELED, EFFECTIVE 7 JAN. 1967, OR UPON COMMISSIONING OF SHOALS BCM.

City, Huntington; State, W. Va.; Airport name, Tri-State; Elev., 827'; Fac. Class., BH; Ident., HTW; Procedure No. 2, Amdt. 4; Eff. date 4 Aug. 62; Sup. Amdt. No. 3; Dated 14 Apr. 62

HSV VOR	LOM	Direct	2600	T-dn	300-1	300-1	200-1½
Princeton Int.	LOM	Direct	3000	C-d#	800-1½	900-1½	900-2
Fayetteville Int.	LOM (final)	Direct	2600	C-n#	800-2	900-2	900-2
				S-d-18°	800-1	800-1	800-1
				S-n-18°	800-2	800-2	800-2
				A-dn	1000-2	1000-2	1000-2

Procedure turn W side of crs, 359° Outbnd, 179° Inbnd, 2600' within 10 miles.

Minimum altitude over facility on final approach crs, 2600'.

Crs and distance, facility to airport, 179°-6.2 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.2 miles after passing LOM, climb to 3000' on HSV VOR, R 155°, then turn left to intercept HSV VOR, R 147° within 20 miles, or when directed by ATC, climb to 3000' on crs of 155° from LMM (Ident SV), turn left and return direct to LOM (Ident HS).

* Reduction not authorized.

CAUTION: Circling approaches avoid high terrain and trees, 1100'-1.3 miles E of airport.

MSA within 25 miles of facility: 000°-090°-2900'; 090°-180°-3000'; 180°-360°-2600'.

City, Huntsville; State, Ala.; Airport name, Huntsville-Madison County; Elev., 619'; Fac. Class., LOM; Ident., HS; Procedure No. 1, Amdt. 4; Eff. date, 7 Jan. 67; Sup. Amdt. No. 3; Dated, 30 Oct. 65

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ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Moline VOR	LOM	Direct	2300	T-dn#	300-1	300-1	200-1½
Muscatine Int.	Stockton Int.	Direct	2300	C-dn	600-1	600-1	600-1½
CVA VOR	LOM	Direct	2600	S-dn-9	600-1	600-1	600-1
Stockton Int.	LOM (final)	Direct	1900	A-dn	800-2	800-2	800-2
CID VOR	Muscatine Int.	Via CID VOR, R 124°	2500				
IOW VOR	Muscatine Int.	Via IOW VOR, R 094°	2300				

Radar available.

Procedure turn S side of crs, 267° Outbnd, 087° Inbnd, 1900' within 10 miles.

Minimum altitude over facility on final approach crs, 1900'.

Crs and distance, facility to airport, 087°—4.5 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.5 miles after passing LOM, climb to 2100' on crs of

087° within 20 miles, or when directed by ATC, make right-climbing turn to 2300' and proceed to MLI VOR.

#When weather is below 1500-3, aircraft departing runway 4—turn right and climb to 1500' on E heading before turning N. Aircraft departing Runways 9 and 31—climb on runway heading to 1500' before turning N, due to 1067' tower, 3 miles NE and 1649' tower, 6 miles NNE.

MSA within 25 miles of facility: 000°-090°—2700'; 090°-180°—2900'; 180°-270°—2100'; 270°-360°—2100'.

City, Moline; State, Ill.; Airport name, Quad-City; Elev., 590'; Fac. Class., LOM; Ident., ML; Procedure No. 1, Amdt. 14; Eff. date, 7 Jan. 67; Sup. Amdt. No. 13; Dated, 23 Apr. 66

Montpelier VOR	MVL RBn	Direct	5300	T-dn	800-1½	800-1½	NA
Burlington VOR	MVL RBn	Direct	6000	C-dn	1500-2	1500-2	NA
Newport Int/RBn	MVL RBn	Direct	4400	A-dn	NA	NA	NA

Procedure turn E side of crs, 041° Outbnd, 221° Inbnd, 4400' within 10 miles.

Minimum altitude over facility on final approach crs, 2800'.

Crs and distance, facility to airport, 221°—3 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3 miles after passing MVL RBn, climb to 2000' on

221° magnetic bearing from MVL RBn within 3 miles, then right-climbing turn to 4400' direct MVL RBn. Hold NE of MVL RBn, 221° Inbnd, 1-minute left turns.

NOTES: (1) Use Montpelier altimeter setting. (2) Do not descend below authorized minimums unless landing assured. (3) Approach from a holding pattern not authorized, procedure turn required. (4) State owned facility must be monitored aurally during approach.

IFR Departure: Climb VFR, enter ceiling over the airport heading 221°. Climb to 2000' on heading, 221°, then right-climbing turn to 4400' direct MVL RBn. Depart the RBn at quadrant MSA or transition route MEA.

MSA within 25 miles of facility: 000°-090°—5000'; 090°-180°—4500'; 180°-360°—5500'.

City, Morrisville; State, Vt.; Airport name, Morrisville-Stowe State; Elev., 732'; Fac. Class., MHW; Ident., MVL; Procedure No. 1, Amdt. Orig.; Eff. date, 7 Jan. 67, or upon commissioning of facility

PLN VOR	PLN RBn	Direct	2400	T-dn	300-1	300-1	200-1½
				C-dn	800-1	800-1	800-1½
				A-dn	800-2	800-2	800-2
				Minimums with ADF/VOR receivers:			
				C-dn	500-1	500-1	500-1½

Procedure turn E side of crs, 135° Outbnd, 315° Inbnd, 2400' within 10 miles.

Minimum altitude over Cedar Int on final approach crs, 1520'.

Facility on airport, crs and distance, Cedar Int to airport, 315°—2.9 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing PLN RBn, climb to 2400' on

315° crs and return to PLN RBn.

CAUTION: 1326' tower, 2.8 miles SW of airport.

MSA within 25 miles of facility: 000°-360°—2600'.

City, Pellston; State, Mich.; Airport name, Emmet County; Elev., 720'; Fac. Class., BMH; Ident., PLN; Procedure No. 1, Amdt. 8; Eff. date, 7 Jan. 67; Sup. Amdt. No. 7; Dated, 14 Dec. 63

SUX VOR	LOM	Direct	2600	T-dn	300-1	300-1	*200-1½
				C-dn	500-1	600-1	600-1½
				S-dn-31	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Procedure turn E side of crs, 127° Outbnd, 307° Inbnd, 2600' within 10 miles.

Minimum altitude over facility on final approach crs, 2600'.

Crs and distance, facility to airport, 307°—5.3 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.3 miles after passing LOM, climb to 2600' on 307°

magnetic bearing from LOM within 10 miles, or when directed by ATC, turn left and climb to 3700' on R 266° of SUX VOR within 10 miles.

NOTE: For aircraft departing northeastbound when weather is below 2400-2, flight below 3900' beyond 7 miles from airport is prohibited between the 347° and 025° radials of the SUX VORTAC due to a 3369' tower, 12 miles northeast of the airport.

*300-1 required for all takeoffs on Runway 4, due to 1318' terrain, 1.4 miles ENE of airport.

MSA within 25 miles of facility: 000°-090°—4400'; 090°-270°—2700'; 270°-360°—3900'.

City, Sioux City; State, Iowa; Airport name, Sioux City Municipal; Elev., 1097'; Fac. Class., LOM; Ident., SU; Procedure No. 1, Amdt. 12; Eff. date, 7 Jan. 67; Sup. Amdt. No. 11; Dated, 22 May 65

PIE VOR	AMP RBn	Direct	1500	T-dn*	300-1	300-1	300-1
				C-dn	700-1	700-1	700-1½
				S-dn-3	500-1	500-1	500-1
				A-dn	NA	NA	NA

Radar available.

Procedure turn N side of crs, 266° Outbnd, 086° Inbnd, 1500' within 10 miles.

Minimum altitude over facility on final approach crs, 1000'.

Crs and distance, facility to airport, 058°—5.7 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.7 miles after passing AMP RBn, turn left, intercept

053° bearing from AMP RBn, climbing to 1600' within 15 miles.

NOTES: (1) Use Tampa altimeter setting. (2) Air carrier use not authorized. Weather and communications service not available at this airport. (3) Unicom available.

CAUTION: 451' towers immediately N of airport.

*500-1 required for N and NW takeoffs.

MSA within 25 miles of facility: 000°-090°—1900'; 090°-180°—2600'; 180°-270°—1600'; 270°-360°—1600'.

City, Tampa; State, Fla.; Airport name, Peter O. Knight; Elev., 8'; Fac. Class., H-SAB; Ident., AMP; Procedure No. 1, Amdt. 2; Eff. date, 7 Jan. 67; Sup. Amdt. No. 1; Dated, 19 June 65

ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
PIE VOR	LOM	Direct	1500	T-dn*	300-1	300-1	200-1½
AMP RBN	LOM	Direct	1500	C-dn	500-1	500-1	500-1½
				S-dn-18L	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

* Radar available.
 Procedure turn W side N crs, 001° Outbnd, 181° Inbnd, 1400' within 10 miles.
 Minimum altitude over facility on final approach crs, 1200'.
 Crs and distance, facility to airport, 181°—4 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4 miles after passing LOM, turn right, proceed direct to PIE VOR climbing to 1600', or when directed by ATC, climb to 1600' on direct bearing to AMP RBN.
 CAUTION: 210' radio tower, 1 mile WSW of airport.
 *200-½ absolute minimum for takeoff, Runway 27.
 MSA within 25 miles of facility: 000°-090°—1500'; 090°-180°—2600'; 180°-270°—1600'; 270°-360°—1300'.

City, Tampa; State, Fla.; Airport name, Tampa International; Elev., 27'; Fac. Class., LOM; Ident., TP; Procedure No. 1, Amdt. 20; Eff. date, 7 Jan. 67; Sup. Amdt. No. 19; Dated, 25 Dec. 65

FOD VOR	Webster City RBN	Direct	2800	T-dn	300-1	300-1	200-1½
Alden Int.	Webster City RBN	Direct	2800	C-d	600-1	600-1	600-1½
Nevada Int.	Webster City RBN	Direct	2600	C-n	600-1½	600-1½	600-1½
				S-dn-32	600-1	600-1	600-1
				A-dn	NA	NA	NA

Procedure turn E side of crs, 144° Outbnd, 324° Inbnd, 2600' within 10 miles.
 Minimum altitude over facility on final approach crs, 1700'.* (*1900' when using Mason City altimeter setting.)
 Facility on airport.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 9 mile of the Webster City RBN, make left-climbing turn to 2600' on 144° magnetic bearing from RBN, within 10 miles.
 NOTE: Use Fort Dodge altimeter setting. When Fort Dodge altimeter setting is not available, use Mason City altimeter setting. Circling and straight-in minimums are raised 200' when using Mason City altimeter setting.
 CAUTION: Runways 17/35 unlighted.
 MSA within 25 miles of facility: 000°-090°—2300'; 090°-180°—2600'; 180°-360°—2800'.

City, Webster City; State, Iowa; Airport name, Municipal; Elev., 1100'; Fac. Class., MHW; Ident., EBS; Procedure No. 1, Amdt. Orig.; Eff. date, 5 Jan. 67, or upon commissioning of facility

3. By amending the following very high frequency omnirange (VOR) procedures prescribed in § 97.11(c) to read:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
 If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
V-141	HYA VOR	Via radar vector to within 15 miles, final approach crs.	1500	T-dn	500-1	500-1	NA
V-167	HYA VOR			C-d	800-1	800-1	NA
				C-n	800-2	800-2	NA
				A-dn	NA	NA	NA
				DME minimums-DME equipment required:			
				C-dn#	600-1	600-1	NA

Radar required.
 Procedure turn not authorized.
 Minimum altitude over facility on final approach crs, 1600'; over 6-mile DME Fix, 872'.
 Crs and distance, facility to airport, 113°—10.2 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6 miles after passing HYA VOR, or within 10.2 DME miles of HYA VORTAC, make a climbing right turn to 1900'; return to HYA VOR, hold S, 1-minute right turns, 357° Inbnd.
 NOTE: Use Hyannis altimeter setting. When not available, use Otis AFB altimeter setting.
 CAUTION: 310' antenna, 2 miles S of airport.
 *Distance from point of visual contact to airport, 4.2 miles.
 #500-1 authorized when using Hyannis altimeter setting.
 MSA within 25 miles of facility: 000°-360°—1500'.

City, Chatham; State, Mass.; Airport name, Chatham Municipal; Elev., 72'; Fac. Class., L-BVORTAC; Ident., HYA; Procedure No. 1, Amdt. 3; Eff. date, 7 Jan. 67; Sup. Amdt. No. 2; Dated, 17 Dec. 66

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
				T-d#.....	500-1	500-1	500-1
				T-n#.....	500-2	500-2	500-2
				C-dn#.....	1000-2	1000-2	1000-2
				A-dn.....	1200-2	1200-2	1200-2

Radar available.
 Procedure turn S side of crs. 288° Outbnd, 108° Inbnd, 3000' within 10 miles.
 Minimum altitude over facility on final approach crs, 2000'.
 Crs and distance, facility to airport, 108°—7.5 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 7.5 miles after passing Harrisburg VOR, climb to 3000' on HARB VOR, R 110° to Steelton Int. Hold E on HARB, R 110°, Inbnd crs 290°, 1-minute left turns.
 AIR CARRIER NOTE: Landing on Runway 2 authorized only during daylight hours with ceiling of 1500' or better.
 NOTE: Takeoff on Runway 20 not authorized.
 CAUTION: 1136' Beacon, 1.4 miles SW of airport.
 *Circling S of Runways 8-26 not authorized.
 #Takeoff minimums of 300-1 authorized for Runways 8-26 only.
 MSA within 25 miles of facility: 000°-270°—2800'; 270°-360°—3200'.

City, Harrisburg; State, Pa.; Airport name, Harris-York State; Elev., 347'; Fac. Class., L-BVORTAC; Ident., HARB; Procedure No. 1, Amdt. 9; Eff. date, 7 Jan. 67; Sup. Amdt. No. 8; Dated, 27 May 65

HSV VOR.....	Factory Int (final).....	Direct.....	1600	T-dn.....	300-1	300-1	200-1½
				C-d#.....	1000-1	1000-1	1000-1½
				C-n#.....	1000-2	1000-2	1000-2
				S-d-18°.....	1000-1	1000-1	1000-1
				S-n-18°.....	1000-2	1000-2	1000-2
				A-dn.....	1000-2	1000-2	1000-2
				If Factory Int received, minimums become:			
				C-dn#.....	800-1½	900-1½	900-2
				S-dn-18°.....	700-1	700-1	700-1

Procedure turn W side of crs. 335° Outbnd, 155° Inbnd, 2600' within 10 miles.
 Minimum altitude over facility on final approach crs, 2500'; over Factory Int, 1600'.
 Crs and distance, facility to airport, 155°—6.4 miles; Factory Int to airport, 155°—3.9 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.4 miles after passing HSV VOR, climb to 3000' on HSV VOR, R 155°, then turn left to intercept HSV VOR, R 147° within 20 miles.
 *Reduction not authorized.
 #CAUTION: Circling approaches avoid high terrain and trees, 1100'—1.3 miles E of airport.
 MSA within 25 miles of facility: 000°-090°—2900'; 090°-180°—3000'; 180°-360°—2600'.

City, Huntsville; State, Ala.; Airport name, Huntsville-Madison County; Elev., 619'; Fac. Class., L-BVOR; Ident., HSV; Procedure No. 1, Amdt. 11; Eff. date, 7 Jan. 67; Sup. Amdt. No. 10; Dated, 30 Oct. 65

R 223° clockwise.....	R 317° (final).....	10-mile DME orbit.	1900	T-dn.....	300-1	300-1	NA
R 049° counterclockwise.....	R 317° (final).....	10-mile DME orbit.	1900	C-dn.....	600-1	600-1	NA
				A-dn#.....	NA	NA	NA

Radar available.
 Procedure turn W side of crs. 317° Outbnd, 137° Inbnd, 1900' within 10 miles.
 Minimum altitude over facility on final approach crs, 1900'.
 Crs and distance, facility to airport, 137°—5.2 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.2 miles after passing JAN VORTAC, climb to 2500' on R 137° within 20 miles, or when directed by ATC, turn left, climb to 2000', and return direct to JAN VORTAC.
 NOTES: (1) Aircraft will cancel IFR with JAN approach control prior to landing and upon reaching visual flight conditions. Aircraft will not take off without prior ATC approval. (2) Use Jackson, Miss. (Thompson Field), altimeter setting.
 *Nearest weather observation at Jackson Airport (Thompson Field).
 MSA within 25 miles of facility: 000°-090°—1700'; 090°-180°—1700'; 180°-270°—3500'; 270°-360°—1800'.

City, Madison (Jackson); State, Miss.; Airport name, Bruce Campbell Field; Elev., 324'; Fac. Class., H-BVORTAC; Ident., JAN; Procedure No. 1, Amdt. 4; Eff. date, 7 Jan. 67; Sup. Amdt. No. 3; Dated, 28 May 66

				T-dn.....	300-1	300-1	200-1½
				C-dn.....	600-1	700-1	700-1½
				A-dn.....	NA	NA	NA

Procedure turn E side of crs. 166° Outbnd, 346° Inbnd, 3000' within 10 miles.
 Minimum altitude over facility on final approach crs, 2000'.
 Crs and distance, facility to airport, 346°—4.2 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.2 miles after passing FLP VOR, climb to 3000', turn right and proceed direct to FLP VOR.
 NOTE: Use FSS Harrison, Ark., altimeter setting.
 MSA within 25 miles of facility: 2500'.

City, Mountain Home; State, Ark.; Airport name, Twin Lakes Municipal; Elev., 921'; Fac. Class., L-BVOR; Ident., FLP; Procedure No. 1, Amdt. Orig.; Eff. date, 5 Jan. 67

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
R 313°, PLN VOR clockwise	R 063°, PLN VOR	Via 7-mile DME Arc.	2400	T-dn	300-1	300-1	200-1½
R 183°, PLN VOR counterclockwise	R 063°, PLN VOR	Via 7-mile DME Arc.	2400	C-d	600-1	600-1	600-1½
7-mile DME Fix, PLN, R 063°	PLN VOR (final)	Direct	2400	C-n	600-2	600-2	600-2
				S-dn-23	600-1	600-1	600-1
				A-dn	800-2	800-2	800-2
				Minimums with DME:			
				S-dn-23	500-1	500-1	500-1

Procedure turn N side of crs, 063° Outbnd, 243° Inbnd, 2400' within 10 miles.
 Minimum altitude over facility on final approach crs, 2400'; over 3-mile DME Fix, 1320'.
 Crs and distance, facility to airport, 243°—6.2 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.2 miles after passing PLN VOR, make right turn, climb to 2400', proceed direct to VOR.
 CAUTION: 1320' tower, 2.8 miles SW of airport.
 NOTE: Reduction not authorized for nonstandard REIL.
 MSA within 25 miles of facility: 000°—360°—2600'.

City, Pellston; State, Mich.; Airport name, Emmet County; Elev., 720'; Fac. Class., L-BVOR; Ident., PLN; Procedure No. 1, Amdt. 3; Eff. date, 7 Jan. 67; Sup. Amdt. No. 2; Dated, 14 Dec. 63

PIA, R 048° counterclockwise	PIA, R 275°	Via 7-mile DME Arc.	2300	T-dn	300-1	300-1	200-1½
PIA, R 167° clockwise	PIA, R 275°	Via 7-mile DME Arc.	2300	C-dn	600-1	600-1	600-1½
7-mile DME Fix PIA, R 275°	PIA VOR (final)	Direct	1800	S-dn-12*	500-1	500-1	500-1
				A-dn	800-2	800-2	800-2

Procedure turn S side of crs, 275° Outbnd, 095° Inbnd, 1800' within 10 miles.
 Minimum altitude over facility on final approach crs, 1800'.
 Crs and distance, facility to airport, 095°—4 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4 miles after passing PIA VOR, make right turn climbing to 1800', return to Peoria VOR, or when directed by ATC, make left turn climbing to 2300', proceed to Bradley Int.
 CAUTION: Unlighted high tension towers between facility and airport.
 *Reduction in minimums for HIRLS not authorized. Reduction below ¾ mile not authorized.
 MSA within 25 miles of facility: 000°—180°—2300'; 180°—360°—2000'.

City, Peoria; State, Ill.; Airport name, Greater Peoria; Elev., 650'; Fac. Class., L-BVORTAC; Ident., PIA; Procedure No. 1, Amdt. 8; Eff. date, 7 Jan. 67; Sup. Amdt. No. 7; Dated, 11 Dec. 65

AMP RBn	PIE VORTAC	Direct	1500	T-dn	300-1	300-1	200-1½
R 270° clockwise	R 342°	Via 10-mile DME Arc.	1500	C-dn	700-1	700-1	700-1½
R 039° counterclockwise	R 342°	Via 10-mile DME Arc.	1500	S-dn-17*	700-1	700-1	700-1
				A-dn	800-2	800-2	800-2
				If 3-mile DME Fix, R 342° identified, the following minimums are authorized:			
				C-dn	500-1	500-1	500-1½
				S-dn-17*	500-1	500-1	500-1

Radar available.
 Procedure turn W side of crs, 342° Outbnd, 162° Inbnd, 1500' within 10 miles.
 Minimum altitude over facility on final approach crs, 700'; if 3-mile DME Fix, R 342° identified, 500'.
 Crs and distance, facility to airport, 170°—0.4 mile.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing PIE VORTAC turn right, climb to 1600' on R 270° within 15 miles, or when directed by ATC, turn right, climb to 1600' on R 225° within 15 miles.
 *Reduction not authorized.
 MSA within 25 miles of facility: 000°—090°—1600'; 090°—180°—2600'; 180°—270°—1600'; 270°—360°—1600'.

City, St. Petersburg-Clearwater; State, Fla.; Airport name, St. Petersburg-Clearwater International; Elev., 11'; Fac. Class., H-BVORTAC; Ident., PIE; Procedure No. 1, Amdt. 1; Eff. date, 7 Jan. 67; Sup. Amdt. No. Orig.; Dated, 29 Oct. 66

AMP RBn	PIE VORTAC	Direct	1600	T-dn	300-1	300-1	200-1½
Landfall 8-mile DME/Radar Fix	PIE VORTAC (final)	Direct	1600	C-d	700-1	700-1	700-1½
R 132° clockwise	R 243°	Via 8-mile DME Arc.	1600	C-n	700-2	700-2	700-2
R 334° counterclockwise	R 243°	Via 8-mile DME Arc.	1600	S-d-9*	700-1	700-1	700-1½
				S-n-9*	700-2	700-2	700-2
				A-dn	800-2	800-2	800-2
				If 5-mile DME or radar fix on R 063° identified, the following minimums are authorized:			
				C-dn	500-1	500-1	500-1½
				S-dn-9*	500-1	500-1	500-1

Radar available.
 Procedure turn S side of crs, 243° Outbnd, 063° Inbnd, 1600' within 10 miles.
 Minimum altitude over facility on final approach crs, 1600'; at 5-mile DME or Radar Fix on R 063°—700'.
 Crs and distance, facility to airport, 063°—3.7 miles; 5-mile DME or Radar Fix on R 063° to airport, 063°—3.7 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.7 miles after passing 5-mile DME or Radar Fix or 8.7 miles after passing PIE VORTAC turn left, climb to 1600' and return direct to PIE VORTAC, or when directed by ATC, turn left, climb to 1500' and proceed direct to TP LOM.
 CAUTION: 210' radio towers, 1 mile WSW of airport.
 *200-1½ absolute minimum for takeoff, Runway 27.
 *Reduction not authorized.
 MSA within 25 miles of facility: 000°—090°—1600'; 090°—180°—2600'; 180°—270°—1600'; 270°—360°—1600'.

City, Tampa; State, Fla.; Airport name, Tampa International; Elev., 27'; Fac. Class., H-BVORTAC; Ident., PIE; Procedure No. 1, Amdt. 1; Eff. date, 7 Jan. 67; Sup. Amdt. No. Orig.; Dated, 10 Sept. 66

4. By amending the following terminal very high frequency omnirange (TerVOR) procedures prescribed in § 97.13 to read:

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
				T-dn.....	300-1	300-1	200-1½
				C-dn*§.....	500-1	500-1	500-1½
				S-dn-27#§.....	500-1	500-1	500-1
				A-dn§.....	800-2	800-2	800-2

Procedure turn N side of crs, 101° Outbnd, 281° Inbnd, 2100' within 10 miles.
Minimum altitude over facility on final approach crs, 1103' (1303' when control zone not effective).
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of VOR, climb to 2100' on R 281° within 10 miles, make right turn and return to VOR.
NOTE: Use Marquette altimeter setting when control zone not effective.
CAUTION: (1) 752' water tower, 1.2 miles NNE of airport. (2) Magnetic disturbance of as much as 14° exists at ground level at Escanaba.
*Circling and straight-in ceiling minimums are raised 200' and alternate minimums not authorized when control zone not effective.
§These minimums apply at all times for air carriers with approved weather reporting service.
#Reduction not authorized for nonstandard REIL.
MSA within 25 miles of facility: 000°-090°-2200'; 090°-180°-1700'; 180°-270°-2300'; 270°-360°-2200'.
City, Escanaba; State, Mich.; Airport name, Escanaba Municipal; Elev., 603'; Fac. Class., L-BVOR; Ident., ESC; Procedure No. Ter VOR-27, Amdt. 1; Eff. date, 7 Jan. 67; Sup. Amdt. No. Orig.; Dated, 10 Nov. 66

R 188°, JXN VOR clockwise.....	JXN, R 308°.....	Via 10-mile DME Arc.	2800	T-dn.....	300-1	300-1	200-1½
R 068°, JXN VOR counterclockwise.....	JXN, R 308°.....	Via 10-mile DME Arc.	2900	C-dn.....	500-1	500-1	500-1½
10-mile DME Fix, R 308°.....	Cloverleaf Int (final).....	Direct.....	1500	S-dn-13.....	500-1	500-1	500-1
				A-dn.....	800-2	800-2	800-2
				Minimums with DME or dual VOR receivers:			
				C-dn.....	400-1	500-1	500-1½
				S-dn-13.....	400-1	400-1	400-1

Procedure turn W side of crs, 308° Outbnd, 128° Inbnd, 2300' within 10 miles.
Minimum altitude over Cloverleaf Int on final approach crs, 1500'.
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished over JXN VOR, climb to 2300' on R 128° within 10 miles.
Reverse crs, proceed to JXN VOR.
CAUTION: Tower, 11.3 miles NW, 1946'; tower, 2.2 miles SE, 1330'; tower, 3 miles NE, 1310'.
MSA within 25 miles of facility: 000°-090°-2400'; 090°-180°-2500'; 180°-270°-2600'; 270°-360°-3000'.
City, Jackson; State, Mich.; Airport name, Reynolds Municipal; Elev., 1000'; Fac. Class., L-BVORTAC; Ident., JXN; Procedure No. TerVOR-13, Amdt. 5; Eff. date, 7 Jan. 67; Sup. Amdt. No. 4; Dated, 17 Dec. 66

5. By amending the following very high frequency omnirange—distance measuring equipment (VOR/DME) procedures prescribed in § 97.15 to read:

VOR/DME STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
R 076° clockwise.....	R 155° (final).....	29-mile DME orbit.	2000	T-dn.....	300-1	300-1	200-1½
R 264° counterclockwise.....	R 155° (final).....	29-mile DME orbit.	3400	C-dn.....	400-1	500-1	500-1½
				S-dn-33L#.....	400-1	400-1	400-1
				A-dn.....	800-2	800-2	800-2

Radar available.
Procedure turn E side of crs, 155° Outbnd, 335° Inbnd, 2000' between 19 and 29 miles of VORTAC or between 19- and 29-mile Radar Fixes.
Minimum altitude over 19-mile DME/Radar Fix on final approach crs, 2000'.
Cr� and distance, 19-mile DME/Radar Fix to airport, 335°-5.4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 14-mile DME/Radar Fix, turn right, climb to 2000' on JAN VORTAC, R 129°, proceed to Rankin Int. Hold SE, 1-minute right turns, 300° Inbnd.
#400-½ authorized with HIRLS except for 4-engine turbojets.
MSA within 25 miles of facility: 000°-090°-1700'; 090°-180°-1700'; 180°-270°-3500'; 270°-360°-1800'.
City, Jackson; State, Miss.; Airport name, Allen C. Thompson Field; Elev., 345'; Fac. Class., H-BVORTAC; Ident., JAN; Procedure No. VOR/DME-2, Amdt. 2; Eff. date, 7 Jan. 67; Sup. Amdt. No. 1; Dated, 30 July 66

VOR/DME STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
R 049° clockwise	R 137° (final)	21-mile DME orbit.	2200	T-dn	300-1	300-1	NA
R 194° counterclockwise	R 137° (final)	21-mile DME orbit.	2200	C-dn	600-1	600-1	NA
				A-dn*	NA	NA	NA

Radar available.

Procedure turn E side of crs, 137° Outbnd, 317° Inbnd, 2200' between 11 and 21 miles of VORTAC.

Minimum altitude over 11-mile DME Fix on final approach crs, 2200'.

Crs and distance, 11-mile DME Fix to airport, 317°—5.8 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 6-mile DME Fix, climb to 2000' on JAN VORTAC, R 137°, proceed to JAN VORTAC. Hold NW, JAN VORTAC, R 350°, 170° Inbnd, 1-minute right turns, or when directed by ATC, turn right, climb to 2000' on JAN VORTAC, R 076° within 20 miles.

NOTES: (1) Aircraft will cancel IFR with JAN approach control prior to landing and upon reaching visual flight conditions. Aircraft will not take off without prior ATC approval. (2) Use Jackson, Miss. (Thompson Field), altimeter setting.

*Nearest weather observation at Jackson Airport (Thompson Field).

MSA within 25 miles of facility: 000°-090°—1700'; 090°-180°—1700'; 180°-270°—3500'; 270°-360°—1800'.

City, Madison (Jackson); State, Miss.; Airport name, Bruce Campbell Field; Elev., 324'; Fac. Class., H-BVORTAC; Ident., JAN; Procedure No. VOR/DME-1, Amdt. 2; Eff. date, Jan. 67; Sup. Amdt. No. 1; Dated, 28 May 66

6. By amending the following instrument landing system procedures prescribed in § 97.17 to read:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Asheville VOR	Broad River RBN	Direct	5500	T-dn*	400-1	400-1	400-1½
Owen Int.	Broad River RBN	Direct	5000	C-dn**	1000-2	1000-2	1000-2
Spartanburg VOR	Tuxedo Int.	Direct	5000	C-n	NA	NA	NA
Tuxedo Int.	Broad River RBN (final)	Direct	5000	S-dn-34#	400-1½	400-1½	400-1½
				A-dn**	1000-2	1000-2	1000-2

Procedure turn E side of crs, 161° Outbnd, 341° Inbnd, 5000' within 10 miles of Broad River RBN.

Minimum altitude at glide slope interception Inbnd, 5000' (Broad River RBN).

Altitude of glide slope and distance to approach end of runway at Broad River RBN, 5000'—9.7 miles; at OM, 3519'—4.7 miles; at MM, 2329'—0.6 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 9.7 miles after passing BRA RBN, climb on crs of 340° to ABN RBN and continue climb, if necessary, in holding pattern S of ABN RBN (1-minute right turns) to 5000' or higher, as directed by ATC, before returning to Broad River RBN or continuing climb on crs, or when directed by ATC, climb on crs of 341° from BRA RBN to 8000' within 20 miles.

NOTES: (1) Back crs unusable below 5000'. (2) Glide slope unusable below 2310'. (3) VASI-16.

*IFR departure procedures: Takeoffs to the N will comply with missed approach procedure when climbing to altitude. Takeoffs to S will climb on crs of 161° over the OM and continue on crs of 161° to Broad River RBN. Upon reaching 5000' or higher, as directed by ATC, continue climb on crs.

**CAUTION: Terrain rises rapidly 2 miles W of airport. All maneuvering for circling approach must be accomplished E of airport. Night alternate predicated on landing straight-in, Runway 34.

800-1 required when glide slope not utilized.

@Reduction not authorized.

City, Asheville; State, N.C.; Airport name, Asheville Municipal; Elev., 2161'; Fac. Class., ILS; Ident., I-AVL; Procedure No. ILS-34, Amdt. 7; Eff. date, 7 Jan. 67; Sup. Amdt. No. 6; Dated, 20 Aug. 66

Denver VOR	EWD RBN	Direct	7800	T-dn@\$.	300-1	300-1	200-1½
Sedalia Int.	EWD RBN/DME Fix (final)	Direct	7800	C-dn	*400-1	500-1	500-1½
Silo Int.	EWD RBN	Direct	8200	S-dn-35%#	200-1½	200-1½	200-1½
Franktown Int.	EWD RBN	Direct	7800	A-dn	600-2	600-2	600-2
Broomfield Int.	EWD RBN	Direct	7800	Category II special authorization required: TDZ elevation, 5292'; decision heights: S-dn-35, DH 150, RVR 1600, 5442' MSL, RA 148'; S-n-35, DH 100, RVR 1200, 5392' MSL, RA 105'.			
Larkspur Int.	Sedalia Int.	Direct	10,000				

Radar available.

Procedure turn E side of S crs, 170° Outbnd, 350° Inbnd, 7800' within 10 miles of EWD RBN.

Minimum altitude at glide slope interception, 7800'.

Altitude and distance to approach end of runway at EWD RBN, 7800'—9.1 miles; at OM, 6688'—5 miles; at MM, 5502'—0.6 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.6 mile of MM, climb to 7000' on N crs, SPO ILS to Derby Int, hold N, right turns, or when directed by ATC, make right-climbing turn to 7000', proceed direct to DEN VOR at 7000'.

Category II missed approach: Climb to 7000' on N crs, SPO ILS to Derby Int, hold N, right turns, or when directed by ATC, make right-climbing turn to 7000', proceed direct to DEN VOR at 7000' if contact with visual guidance system not established at DH.

*500-1 required for circling S of airport due to 5521' tower, 1.5 miles S of airport.

#500-1 required when glide slope not utilized. When both glide slope and OM not received, straight-in, circling and alternate minimums become 900-2.

@Westbound (194° through 321°) IFR departures must comply with published Denver SLD's or with radar vectors.

\$RVR 2400' authorized Runways 17, 26L, 35.

%RVR 2000' 4-engine turbojet. RVR 1800' other aircraft. Descent below 5530' not authorized unless ALs visible.

City, Denver; State, Colo.; Airport name, Stapleton International; Elev., 5330'; Fac. Class., ILS; Ident., I-SPO; Procedure No. ILS-35, Amdt. 6; Eff. date, 7 Jan. 67; Sup. Amdt. No. 5; Dated, 30 July 66

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ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Harrisburg VOR	LOM	Direct	2700	T-d	500-1	500-1	500-1
				T-n	500-2	500-2	500-2
				C-dn*	1000-2	1000-2	1000-2
				S-dn-8	600-1½	600-1½	600-1½
				A-dn	1000-2	1000-2	1000-2

Radar available.

Procedure turn N side of W crs, 259° Outbnd, 079° Inbnd, 2700' within 10 miles.

Minimum altitude over LOM, 2700'. No glide slope. Distance to approach end of runway at OM, 7.1 miles; at MM, 1.8 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 7.1 miles after passing LOM, climb straight ahead to 1200', make right-climbing turn to intercept H.A.R. R 110°, proceed to Steelton Int at 3000'. Hold E, H.A.R. R 110°, Inbnd crs, 290°, 1-minute left turns.

AIR CARRIER NOTES: Landing on Runway 2 authorized only during daylight hours with ceiling 1500' or better.

NOTES: (1) Takeoff minimums of 300-1 authorized for Runways 8-26 only. (2) Takeoff on Runway 20 not authorized.

CAUTION: 1138' beacon, 1.4 miles SW of airport.

*Circling 8 of Runways 8-26 not authorized.

City, Harrisburg; State, Pa.; Airport name, Harrisburg-York State; Elev., 347'; Fac. Class., ILS; Ident., I-HAR; Procedure No. ILS-8, Amdt. 11; Eff. date, 7 Jan. 67; Sup. Amdt. No. 10; Dated, 31 July 65

HT LOM	Shoals (back crs marker)	Direct	2600	T-dn	300-1	300-1	200-½
HNN VORTAC	Hamlin Int.	Via HNN, R 204°	3000	C-dn	500-1	500-1	500-1½
Hamlin Int.	Shoals (back crs marker) (final)	Direct	1800	S-dn-296	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Procedure turn N side of crs, 114° Outbnd, 294° Inbnd, 2600' within 10 miles of Shoals BCM.

Minimum altitude over Shoals BCM on final approach crs, 1800'.

Crs and distance, Shoals BCM to airport, 294°—3.4 miles.

No glide slope.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.4 miles after passing Shoals BCM, climb to 2600' on crs, 294° to the HTS LOM. Hold NW, 1-minute right turns, 114° Inbnd.

CAUTION: Tower, 1260'—3.5 miles E of approach end of Runway 29.

*400-¾ authorized, with operative high-intensity runway lights, except for 4-engine turbojets.

City, Huntington; State, W. Va.; Airport name, Tri-State (Walker-Long Field); Elev., 828'; Fac. Class., ILS; Ident., I-HTS; Procedure No. ILS-29 (back crs) Amdt. 2; Eff. date, 7 Jan. 67, or upon commissioning of Shoals BCM; Sup. Amdt. No. 1; Dated, 27 July 63

HSV VOR	LOM	Direct	2600	T-dn	300-1	300-1	200-½
Princeton Int.	LOM	Direct	3000	C-dn	800-1½	900-1½	900-2
Fayetteville Int.	LOM (final)	Direct	2600	S-dn-18*	300-¾	300-¾	300-¾
				A-dn	1000-2	1000-2	1000-2

Procedure turn W side of crs, 350° Outbnd, 179° Inbnd, 2600' within 10 miles.

Minimum altitude at glide slope interception Inbnd, 2600'.

Altitude of glide slope and distance to approach end of runway at OM, 2558'—6.2 miles; at MM, 827'—0.6 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 3000' on HSV VOR, R 155°, then turn left to intercept HSV VOR, R 147° within 20 miles, or when directed by ATC, climb to 3000' on crs of 155° from LMM (ident SV), turn left and return direct to LOM (ident HS).

*700-1 required when glide slope not utilized. Reduction not authorized.

#CAUTION: Circling approaches avoid high terrain and trees, 1100'—1.3 miles E of airport.

City, Huntsville; State, Ala.; Airport name, Huntsville-Madison County; Elev., 619'; Fac. Class., ILS; Ident., I-HSV; Procedure No. ILS-18, Amdt. 5; Eff. date, 7 Jan. 67; Sup. Amdt. No. 4; Dated, 30 Oct. 65

Tiverton VOR	LOM	Direct	2900	T-dn*	300-1	300-1	200-½
Mansfield VOR	LOM	Direct	2500	C-dn	500-1	500-1	500-1½
				S-dn-32#	200-½	200-½	200-½
				A-dn	600-½	600-½	600-½
				With glide slope inoperative:			
				S-dn-32#	400-¾	400-¾	400-¾

Procedure turn N side of crs, 140° Outbnd, 330° Inbnd, 2500' within 10 miles.

Minimum altitude at glide slope interception Inbnd, 2500'.

Altitude of glide slope and distance to approach end of runway at OM, 2500'—4 miles; at MM, 1510'—0.6 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, make left-climbing turn to 2700', proceed direct to Mansfield VOR. Hold NW, 1-minute right turns, 130° Inbnd, or when directed by ATC, climb to 2500' on NW crs, ILS, turn right and return to Mansfield LOM. Hold SE, Mansfield LOM, 1-minute right turns, 320° Inbnd.

*RVR 2400' authorized Runway 32.

#RVR 2400'. Descent below 1400' not authorized unless approach lights are visible.

*400-½ (RVR 2400') authorized, with operative ALS, except for 4-engine turbojets.

City, Mansfield; State, Ohio; Airport name, Mansfield Municipal; Elev., 1297'; Fac. Class., ILS; Ident., I-MFD; Procedure No. ILS-32, Amdt. 5; Eff. date, 7 Jan. 67; Sup. Amdt. No. 4; Dated, 28 Aug. 65

RULES AND REGULATIONS

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Moline VOR	LOM	Direct	2300	T-dn**#	300-1	300-1	200-1½
Stockton Int.	LOM (final)	Direct	1800	C-dn	600-1	600-1	600-1½
Cordova VOR	LOM	Direct	2600	S-dn-9**%	200-1½	200-1½	200-1½
Muscantine Int.	Stockton Int.	Direct	2300	A-dn	600-2	600-2	600-2
CID VOR	Muscantine Int.	Via CID VOR, R 124°	2500				
IOW VOR	Muscantine Int.	Via IOW VOR, R 094°	2300				
10-mile DME Fix, MLI, R 195° clockwise	Stockton Int, 10-mile DME Fix, MLI, R 318°	Via 10-mile DME Arc.	2300				

Radar available.

Procedure turn S side W crs, 267° Outbnd, 087° Inbnd, 1900' within 10 miles.

Minimum altitude at glide slope interception Inbnd, 1900'.

Altitude of glide slope and distance to approach end of runway at OM, 1825'—4.5 miles; at MM, 774'—0.5 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.5 miles after passing LOM, climb to 2100' on crs of 087° within 20 miles, or when directed by ATC, make right-climbing turn to 2300' and proceed to MLI VOR.

** RVR 2400' authorized Runway 9.

* 600-¾ required when glide slope not utilized; 600-½ authorized, with operative ALS, except for 4-engine turbojets.

When weather is below 1500-3, aircraft departing Runway 4—turn right and climb to 1500' on E heading before turning N. Aircraft departing Runways 9 and 31—climb on runway heading to 1500' before turning N, due to 1067' tower, 3 miles NE and 1640' tower, 6 miles NNE.

% RVR 2400'. Descent below 790' not authorized unless approach lights are visible.

City, Moline; State, Ill.; Airport name, Quad City; Elev., 590'; Fac. Class., ILS; Ident., I-MLI; Procedure No. ILS-9, Amdt. 14; Eff. date, 7 Jan. 67; Sup. Amdt. No. 13; Dated, 30 Apr. 66.

SUX VOR	LOM	Direct	2600	T-dn*	300-1	300-1	%200-1½
R 070°, SUX VOR clockwise	R 125°, SUX VOR	Via 10-mile DME Arc.	3000	C-dn	500-1	600-1	600-1½
R 238°, SUX VOR counterclockwise	R 125°, SUX VOR	Via 10-mile DME Arc.	3000	S-dn-31½	200-1½	200-1½	200-1½
10-mile DME Fix, R 125°, SUX VOR	OM (final)	Via SUX LOC	2600	A-dn	600-2	600-2	600-2

Procedure turn E side of crs, 127° Outbnd, 307° Inbnd, 2600' within 10 miles.

Minimum altitude at glide slope interception Inbnd, 2600'.

Altitude of glide slope and distance to approach end of runway at OM, 2575'—5.3 miles; at MM, 1287'—0.5 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.3 miles after passing LOM, climb to 2600' on NW crs, ILS within 10 miles, or when directed to ATC, turn left and climb to 3700' on R 260° of SUX VOR within 10 miles.

NOTE: For aircraft departing northeastbound when weather is below 2400-2, flight below 3900' beyond 7 miles from airport is prohibited between the 347° and 025° radials of the SUX VORTAC due to a 3369' tower, 12 miles NE of the airport.

3300-¾ required when glide slope not utilized and 300-½ authorized, with operative ALS, except for 4-engine turbojets.

%300-1 required for all takeoffs on Runway 4, due to 1318' terrain, 1.4 miles ENE of airport.

* RVR 2400' authorized Runway 31.

RVR 2400'. Descent below 1297' not authorized unless approach lights are visible.

City, Sioux City; State, Iowa; Airport name, Sioux City Municipal; Elev., 1097'; Fac. Class., ILS; Ident., I-SUX; Procedure No. ILS-31, Amdt. 12; Eff. date, 7 Jan. 67; Sup. Amdt. No. 11; Dated, 22 May 65.

15-mile DME Fix, CAP, R 218°	LOM (final)	Direct	2100	T-dn%	300-1	300-1	200-1½
CAP, R 100° clockwise	CAP, R 218°	Via 15-mile DME Arc.	2200	C-dn	400-1	500-1	500-1½
CAP VOR	LOM	Direct	2200	S-dn-4#	200-1½	200-1½	200-1½
Waverly Int.	LOM (final)	Via 350 magnetic crs and LOC		A-dn	600-2	600-2	600-2
Dawson Int.	LOM	Direct	2100				
Tallula Int.	LOM	Direct	2600				
CAP, R 265° counterclockwise	CAP, R 218°	Via 15-mile DME Arc.	2200				

Procedure turn S side of crs, 218° Outbnd, 038° Inbnd, 2200' within 10 miles.

Minimum altitude at glide slope interception Inbnd, 2100'.

Altitude of glide slope and distance to approach end of runway at OM, 2077'—5.1 miles; at MM, 797'—0.5 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 2100' and proceed to CAP VORTAC.

* RVR 2400'. Descent below 793' not authorized unless approach lights are visible.

RVR 2400' authorized Runway 4.

%400-¾ required when glide slope not utilized; reduction below ¾ mile not authorized for ALS.

City, Springfield; State, Ill.; Airport name, Capital; Elev., 593'; Fac. Class., ILS; Ident., I-SPI; Procedure No. ILS-4, Amdt. 13; Eff. date, 7 Jan. 67; Sup. Amdt. No. 12; Dated, 10 Sept. 66.

7. By amending the following radar procedures prescribed in § 97.19 to read:

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at pilot's discretion if it appears desirable to discontinue the approach, except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Surveillance approach							
275°	060°	7-30 miles	1900	T-dn	300-1	300-1	200-1½
060°	275°	7-20 miles	2500	C-dn	400-1	500-1	500-1
000°	360°	0-7 miles	1800	S-dn-15 L and R* S-dn-33 L and R* A-dn	400-1 400-1 800-2	400-1 400-1 800-2	400-1½ 400-1 800-2

All bearings and distances are from radar antenna site with sector azimuths progressing clockwise. Radar control must provide 3 miles or 1000' vertical separation from the following towers: 1949—16.5 miles SW; 2419—17 miles WSW, and 1049—9.5 miles WSW.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, Runway 15 L and R; Turn right, climb to 2000' on JAN VORTAC, R 164° within 20 miles. Runway 33 L and R: Turn right, climb to 2000' on JAN VORTAC, R 129°, proceed to Rankin Int, hold SE, 1-minute right turns, 309° inbound.

*400-¾ authorized, with operative HIRLS, except for 4-engine turbojets.

*400-½ authorized Runway 15L, with operative ALS, except for 4-engine turbojets.

City, Jackson; State, Miss.; Airport name, Allen C. Thompson Field; Elev., 345'; Fac. Class. and Ident., Jackson Radar; Procedure No. 1, Amdt. 4; Eff. date, 7 Jan. 67; Sup. Amdt. No. 3; Dated, 2 Oct. 65

These procedures shall become effective on the dates specified therein.

(Secs. 307(c), 313(a), 601 of the Federal Aviation Act of 1958; 49 U.S.C. 1348(c), 1354(a), 1421; 72 Stat. 749, 752, 775)

Issued in Washington, D.C., on November 30, 1966.

JAMES F. RUDOLPH,
Acting Director, Flight Standards Service.

[F.R. Doc. 66-13108; Filed, Dec. 15, 1966; 8:45 a.m.]

Title 20—EMPLOYEES' BENEFITS

Chapter III—Social Security Administration, Department of Health, Education, and Welfare

[Reg. No. 5]

PART 405—FEDERAL HEALTH INSURANCE FOR THE AGED (1965—)

Subpart M—Conditions for Coverage of Services of Independent Laboratories

On June 22, 1966, there was published in the FEDERAL REGISTER (31 F.R. 8668) a notice of proposed rule making relating to the requirements that must be met by an independent laboratory in order for its services to qualify for coverage under the supplementary medical insurance benefits part of the Health Insurance for the Aged program. Interested parties were given the opportunity to submit written comments within 30 days after publication.

Written submissions were received and considered. Certain changes were made in the proposed regulations pursuant to these comments. The following changes are considered to be the most important.

(1) Section 405.1301(a) has been changed to provide that diagnostic laboratory services, for purposes of section 1861(s) (10) and (11) of the Act

and this Subpart M of Part 405, do not include diagnostic X-ray tests.

(2) Section 405.1301(b) has been amended to revise the definition of the term "independent laboratory" so as to exclude the office of a physician whose primary practice is directly attending patients and/or providing consultation.

(3) Section 405.1312(a) has been revised to provide that a laboratory director may not serve as director of more than three laboratories (hospital or independent laboratories).

(4) Section 405.1312(b) (4) has been expanded to provide additional exceptions to the doctoral requirement for laboratory directors.

(5) A new paragraph (a) has been added to § 405.1314 to extend the requirement of successful performance in a proficiency testing program to doctoral as well as nondoctoral directed laboratories but only to the extent that a State has the capacity to offer such testing.

(6) The alternative requirement for a physician director or supervisor (§ 405.1314(b) (7) (ii)) has been revised by substituting "certified by the American Society of Cytology to practice cytopathology" for "a member of the American Society of Cytology."

(7) Section 405.1315, which sets out the requirements for clinical laboratory technical personnel, has been revised to substitute detailed statements in terms of education and experience instead of certain registries and to provide an exception to the requirements for a period ending June 30, 1971.

(8) Sections 405.1317 through 405.1319, containing proposed conditions regarding radiologic diagnostic facilities, have been deleted as a result of the changes made in § 405.1301.

Other changes of a clarifying and editorial nature have also been made.

Chapter III, Title 20 is amended by adding thereto Subpart M of Part 405, to read as set forth below. The addition of Subpart M of Part 405, Title 20, shall be effective upon publication in the FEDERAL REGISTER.

Dated: December 8, 1966.

[SEAL] ROBERT M. BALL,
Commissioner of Social Security.

Approved: December 10, 1966.

WILBUR J. COHEN,
Acting Secretary of Health,
Education, and Welfare.

Subpart M—Conditions for Coverage of Services of Independent Laboratories

- Sec.
- 405.1301 Conditions for coverage of services of independent laboratories; general.
- 405.1302 Conditions for coverage of services; general.
- 405.1303 Standards; general.
- 405.1304 State agencies.
- 405.1305 Principles for the evaluation of independent laboratories to determine whether they are in substantial compliance with the conditions.
- 405.1306 Time limitations on certification of substantial compliance.
- 405.1307 Certification of noncompliance.

- Sec.
 405.1308 Criteria for determining substantial compliance.
 405.1309 Documentation of findings.
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 405.1311 Clinical laboratory; defined.
 405.1312 Condition — clinical laboratory; laboratory director.
 405.1313 Condition — clinical laboratory; supervision.
 405.1314 Condition — clinical laboratory; tests performed.
 405.1315 Condition — clinical laboratory; technical personnel.
 405.1316 Condition — clinical laboratory; records, equipment, and facilities.

AUTHORITY: The provisions of this Subpart M issued under secs. 1102, 1861(s) (10) and (11), 1864, 1871, 49 Stat. 647, as amended, 79 Stat. 322; 79 Stat. 326; 79 Stat. 331, 42 U.S.C. 1302, 1395 et seq.

§ 405.1301 Conditions for coverage of services of independent laboratories; general.

(a) *Introduction.* The Conditions for Coverage of Services of Independent Laboratories and related policies set forth herein, state the specific requirements that must be met by an independent laboratory in order for its services to qualify for reimbursement under the supplementary medical insurance part of the Health Insurance for the Aged program. The services of a qualified independent laboratory for which reimbursement may be made under the supplementary medical insurance program relate only to diagnostic tests performed in a laboratory which is independent of a physician's office or a participating hospital. Diagnostic laboratory tests, for purposes of section 1861(s) (10) and (11) of the Act and for purposes of this Subpart M, do not include diagnostic x-ray tests. (See Subpart R of this Part 405 for definition of diagnostic laboratory tests.)

(b) *Definition of independent laboratory.* An independent laboratory performing diagnostic tests is one which is independent both of the attending or consulting physician's office and of a hospital which meets the conditions of participation in the program. Services furnished by out-of-hospital laboratories under the direction of a physician, such as a pathologist, are considered to be subject to the conditions where the physician holds himself and the facilities of his office out to other physicians as being available primarily for the performance of diagnostic tests. A laboratory maintained by a physician for performing diagnostic tests primarily for his own patients would be exempt from the Conditions, even though such laboratory does diagnostic tests on referral from other physicians. Diagnostic tests furnished by out-of-hospital physicians whose primary practice is directly attending patients and/or consultation, even though conducted partly through diagnostic procedures, are considered physician's services rather than clinical laboratory services. As such, the office in which these services are provided is exempt from the Conditions. Consultation is a deliberation of two or more

physicians with respect to the diagnosis or treatment in any particular case. Consultation, as distinguished from providing clinical laboratory services, includes history taking, examination of the patient and, in each case, transmitting to the attending physician an opinion concerning diagnosis and/or treatment. Section 1861(s) of the Act, which includes the provision for the coverage in the medical insurance program of diagnostic tests performed in an independent laboratory, provides that, as a condition for coverage of such tests, an independent laboratory, in any State in which State or local law provides for licensing laboratories, is licensed pursuant to such law or be approved by the agency of the State or locality responsible for such licensure as meeting the standards established for licensing. As a further condition, the statute requires that the independent laboratory meet such standards as the Secretary finds necessary to assure the health and safety of individuals with respect to whom these tests are performed.

(c) *State agency certification.* The law makes provision for the designation of State health agencies, or other State agencies, to assist the Secretary in determining whether there is compliance with the conditions for coverage of services of independent laboratories. The designated State agencies will certify to the Secretary those laboratories which they find meet the conditions. Services provided in a laboratory that is determined to be in substantial compliance with the conditions relating to health and safety and which meet the statutory licensure requirement would be reimbursable under the medical insurance program.

§ 405.1302 Conditions for coverage of services; general.

The services of an independent laboratory will be reimbursable under the program only if the laboratory meets the statutory requirement of section 1861(s) (10) of the Act and there has been a determination by the Secretary of substantial compliance on the part of the laboratory with all the other conditions. These additional conditions (established in the interest of health and safety) are requirements which are essential to the maintenance of quality of care and the adequacy of the services and facilities which the laboratory provides. Variation in the type and size of laboratories and the nature and scope of services offered will be reflected in differences in the details of organization, staffing, and facilities. However, the test will be whether there is substantial compliance with each of the conditions.

§ 405.1303 Standards; general.

As a basis for a determination as to whether or not there is substantial compliance with the prescribed conditions in the case of any particular independent laboratory, a series of standards, almost all interpreted by explanatory factors, is listed under each condition. Reference to these standards will enable the State agency surveying a facility to document

the activities of the laboratory, to establish the nature and extent of its deficiencies, if any, and to assess the facility's need for improvement in relation to the prescribed conditions. In substance, the application of the standards, together with the explanatory factors, will indicate the extent and degree to which an independent laboratory is complying with each condition.

§ 405.1304 State agencies.

(a) Under the provisions of title XVIII of the Social Security Act, State agencies, operating under agreements with the Secretary, will be used by the Secretary in determining whether independent laboratories meet the conditions. Pursuant to this agreement, State agencies will certify to the Secretary findings as to whether independent laboratories are in substantial compliance with the conditions. Such certifications will include findings as to whether each of the conditions is substantially met. The Secretary, on the basis of such certification from the State agency, will determine whether or not the level of facilities and services of the laboratory represent the required achievement of substantial compliance with the conditions and will transmit to the laboratory a written notice of the determination.

(b) Any payment for diagnostic tests of the type described in section 1861(s) (3) of the Act performed in a laboratory which is independent of a physician's office or a hospital, if made prior to a determination that the laboratory is in compliance with the conditions set forth in this subpart, is not to be considered as establishing the compliance of such laboratory with such conditions.

§ 405.1305 Principles for the evaluation of independent laboratories to determine whether they are in substantial compliance with the conditions.

Independent laboratories will be considered in substantial compliance with the conditions upon acceptance by the Secretary of findings, adequately documented and certified to by the State agency, showing that:

(a) The laboratory meets the specific statutory requirement of section 1861(s) (10) of the Act and is found to be operating in accordance with all the conditions with no significant deficiencies, or

(b) The laboratory meets the specific statutory requirement of section 1861(s) (10) of the Act but is found to have deficiencies with respect to one or more conditions, but

(1) It is making reasonable plans and efforts to correct the deficiencies, and

(2) Notwithstanding the deficiencies it is rendering adequate service without hazard to the health and safety of individuals being served, taking into account special procedures or precautionary measures which have been or are being instituted.

§ 405.1306 Time limitations on certification of substantial compliance.

(a) All initial certifications by the State agency to the effect that an inde-

pendent laboratory is in substantial compliance with the conditions will be for a period of 1 year, beginning with July 1, 1966, or, if later, with the date on which the laboratory is first found to be in substantial compliance with the conditions. State agencies may visit or resurvey laboratories where necessary to ascertain continued compliance or to accommodate to periodic or cyclical survey programs. A State may, at any time, find and certify to the Secretary that a laboratory is no longer in compliance.

(b) If a laboratory is certified by the State agency and determined by the Secretary to be in substantial compliance under the provisions of § 405.1305(b), the following information will be incorporated into the finding and into the notice to the laboratory of the determination of coverage of its services under the medical insurance program:

(1) A statement of the deficiencies which were found, and

(2) A description of progress which has been made and further action which is being taken to remove the deficiencies, and

(3) A scheduled time for a resurvey of the laboratory to be conducted not later than the ninth month (or earlier, depending on the nature of the deficiencies) of the period of certification.

§ 405.1307 Certification of noncompliance.

The State agency will certify that a laboratory is not in compliance with the conditions or, where a determination of compliance has been made, that a laboratory is no longer in compliance where:

(a) The laboratory is not in compliance with the statutory requirement of section 1861(s) (10) of the Act; or

(b) The laboratory has deficiencies of such character as to seriously limit the capacity of the laboratory to render adequate service or to place health and safety of individuals in jeopardy, and the State agency concludes after discussion with the laboratory that there is no early prospect of such significant improvement as to establish substantial compliance, or

(c) After a previous period or part thereof for which the laboratory was certified with a finding of significant deficiencies, there is a lack of progress toward a removal of deficiencies which the State agency finds are adverse to the health and safety of individuals being served.

§ 405.1308 Criteria for determining substantial compliance.

Findings made by a State agency as to whether an independent laboratory is in substantial compliance with the conditions require a thorough evaluation of the laboratory. The State evaluation will take into consideration:

(a) The degree to which each standard, as well as the total set of standards relating to a condition, is met;

(b) When there is a deficiency, whether the deficiency creates a serious hazard to health and safety; and

(c) Whether the laboratory is making reasonable plans and efforts to correct the deficiency within a reasonable period.

§ 405.1309 Documentation of findings.

The findings of the State agency with respect to each of the conditions should be adequately documented. Where the State agency certifies to the Secretary that a laboratory is not in compliance with the conditions, such documentation should include a report of any discussions concerning the deficiencies, a report of the laboratory's responses with respect to such discussions, and the State agency's assessment of the prospects for such improvements as to enable the laboratory to achieve substantial compliance with the conditions.

§ 405.1310 Condition—compliance with State and local laws.

The laboratory is in conformity with all applicable State and local laws.

(a) *Standard. Licensure.* The laboratory, in any State in which State or applicable local law provides for the licensing of laboratories (1) is licensed pursuant to such law, or (2) is approved, by the agency of the State or locality responsible for licensing laboratories, as meeting the standards established for such licensing.

(b) *Standard. Licensed staff.* The director and the staff of the laboratory are licensed or registered in accordance with applicable laws.

(c) *Standard. Fire and safety.* The laboratory is in conformity with laws relating to fire and safety, and to other relevant matters.

§ 405.1311 Clinical laboratory; defined.

A clinical laboratory is a laboratory where microbiological, serological, chemical, hematological, biophysical, cytological, immunochemical or pathological examinations are performed on materials derived from the human body, to provide information for the diagnosis, prevention or treatment of a disease or assessment of a medical condition.

§ 405.1312 Condition—clinical laboratory; laboratory director.

The clinical laboratory is under the direction of a qualified person.

(a) *Standard. Administration.* The laboratory has a director who administers the technical and scientific operation of the laboratory including the reporting of findings of laboratory tests. The factors explaining the standard are as follows:

(1) The director serves the laboratory full-time, or on a regular part-time basis. If he serves on a regular part-time basis, (i) he does not individually serve as director of more than three laboratories (hospital or independent) or, (ii) he provides an associate, qualified under the standard in paragraph (b) of this section to serve as assistant director in each laboratory. Such assistant director does not serve more than three laboratories.

(2) Commensurate with the laboratory workload, the director spends an adequate amount of time daily in the

laboratory to direct and supervise the technical performance of the staff. An exception to the requirement for daily on-site direction may be made only in a rural area.

(3) The director is responsible for the proper performance of all tests made in the laboratory.

(4) The director is responsible for the employment of qualified laboratory personnel and their in-service training.

(5) If the director is to be continuously absent for more than 1 month, arrangements are made for a qualified substitute director.

(b) *Standard. Laboratory director—qualification.* The laboratory director meets one of the following requirements:

(1) He is a physician certified in anatomical and/or clinical pathology by the American Board of Pathology or the American Osteopathic Board of Pathology or possesses qualifications which are equivalent to those required for such certification.

(2) He is a physician who (i) is certified by the American Board of Pathology or the American Osteopathic Board of Pathology in at least one of the laboratory specialties, or (ii) is certified by the American Board of Microbiology, the American Board of Clinical Chemistry, or other national accrediting board acceptable to the Secretary in one of the laboratory specialties, or (iii) subsequent to graduation has had 4 or more years of general laboratory training and experience of which at least two were spent acquiring proficiency in one of the laboratory specialties in a clinical laboratory—with a director at the doctoral level—of a hospital, a health department, university, or medical research institution, or in the case of a State which regulates clinical laboratory personnel, in a clinical laboratory acceptable to that State.

(3) He holds an earned doctoral degree from an accredited institution with a chemical, physical, or biological science as his major subject ("accredited," as used herein, refers to accreditation by a nationally recognized accrediting agency or association, as determined by the U.S. Commissioner of Education) and (i) is certified by the American Board of Microbiology, the American Board of Clinical Chemistry, or other national accrediting board acceptable to the Secretary in one of the laboratory specialties, or (ii) subsequent to graduation, has had 4 or more years of general clinical laboratory training and experience, of which at least 2 years were spent acquiring proficiency in one of the laboratory specialties in a clinical laboratory—with a director at the doctoral level—of a hospital, a health department, university, or medical research institution, or in the case of a State which regulates clinical laboratory personnel, in a clinical laboratory acceptable to that State.

(4) For a period ending June 30, 1971, an exception to the requirements in subparagraph (1), (2), or (3) of this paragraph may be made if (i) the director was responsible for the direction of a clinical laboratory for 12 months within the 5 years preceding July 1, 1966; and (ii) the State agency has evidence of

successful participation of the laboratory which he directs in a State and/or State approved proficiency testing program covering all the specialties or subspecialties in which the laboratory performs tests (except that for a period ending July 31, 1967, in a State not yet having an approved proficiency testing program in operation, the State agency will give interim certification of compliance with respect to a clinical laboratory which otherwise meets the requirements, all approvals based on such interim certification terminating no later than July 31, 1967); and (iii) the director meets one of the following requirements:

(a) The director holds a master's degree from an accredited institution with a chemical, physical, or biological science as his major subject and subsequent to graduation has had at least 4 years of pertinent clinical laboratory experience.

(b) The director holds a bachelor's degree from an accredited institution with a chemical, physical, or biological science as his major subject and subsequent to graduation has had at least 6 years of pertinent clinical laboratory experience.

(c) The director has achieved a satisfactory grade through an examination conducted by or under the sponsorship of the U.S. Public Health Service, provided that such examination shall no longer be conducted subsequent to July 1, 1970 (see § 405.1314(b)). For a period ending July 31, 1967, the State agency will give interim certification of compliance with respect to a clinical laboratory if such laboratory otherwise meets the requirements and if the director has indicated his intention, in writing, to take the examination. All approvals based on such interim certifications shall terminate no later than July 31, 1967.

§ 405.1313 Condition—clinical laboratory; supervision.

The clinical laboratory is supervised by qualified personnel.

(a) *Standard. Supervision.* The laboratory has one or more supervisors who, under the general direction of the laboratory director, supervise technical personnel and reporting of findings, perform tests requiring special scientific skills, and, in the absence of the director, are held responsible for the proper performance of all laboratory procedures. The factors explaining the standard are as follows:

(1) A laboratory director is considered to be qualified as a supervisor and, therefore, depending upon the size and functions of the laboratory, the laboratory director may also serve as the laboratory supervisor.

(2) A qualified supervisor is on the premises during all hours in which tests are being performed.

(b) *Standard. Supervisor—qualification.* The laboratory supervisor meets one of the following requirements:

(1) He (i) is a physician or has earned a doctoral degree from an accredited institution with a chemical, physical, or biological science as his major subject, and (ii) subsequent to graduation has had at least 2 years' experience in one

of the laboratory specialties in a clinical laboratory—with a director at the doctoral level—of a hospital, a health department, university, or medical research institution, or in the case of a State which regulates clinical laboratory personnel, in a clinical laboratory acceptable to that State.

(2) He holds a degree of master of arts or master of science from an accredited institution with a major in one of the chemical, physical, or biological sciences and subsequent to graduation, has had at least 4 years of pertinent laboratory experience of which not less than 2 years has been spent working in the designated laboratory specialty in a clinical laboratory—with a director at the doctoral level—of a hospital, a health department, university, or medical research institution, or in the case of a State which regulates clinical laboratory personnel, in a clinical laboratory acceptable to that State.

(3) He holds a degree of bachelor of arts or bachelor of science from an accredited institution with a major in one of the chemical, physical, or biological sciences, and, subsequent to graduation (i) has had at least 6 years of pertinent laboratory experience of which not less than 2 years has been spent working in the designated laboratory specialty in a clinical laboratory—with a director at the doctoral level—of a hospital, a health department, university, or medical research institution, or in the case of a State which regulates clinical laboratory personnel, in a clinical laboratory acceptable to that State; and (ii) has successfully completed pertinent courses which, when combined with the foregoing experience, will provide technical and professional knowledge comparable to that of subparagraph (2) of this paragraph.

(4) He is qualified as a clinical laboratory technologist pursuant to the provisions of § 405.1315(b), (1), (2), (3), or (4), and (i) has had at least 6 years of pertinent laboratory experience of which not less than 2 years has been spent working in the designated laboratory specialty in a clinical laboratory—with a director at the doctoral level—of a hospital, university, health department, or medical research institution, or in the case of a State which regulates clinical laboratory personnel, in a clinical laboratory acceptable to that State; and (ii) has successfully completed pertinent courses which, when combined with the foregoing experience, will provide a technical and professional knowledge comparable to that of subparagraph (2) of this paragraph.

(5) For a period ending June 30, 1971, an exception to the requirements in subparagraph (1), (2), (3), or (4) of this paragraph may be made if (i) the supervisor was performing the duties of a clinical laboratory supervisor on, or within the 5 years preceding July 1, 1966, and (ii) the supervisor has had at least 15 years of pertinent clinical laboratory experience prior to July 1, 1966: *Provided*, That a minimum of 30 semester hours of credit toward a bachelor's degree with a chemical, physical, or a biological science as his major subject or 30 semester hours

in an approved school of medical technology shall reduce the required years of experience by 2 years, with any additional hours further reducing the required years of experience at the rate of 15 hours for 1 year.

§ 405.1314 Condition—clinical laboratory; tests performed.

The clinical laboratory performs only those laboratory tests and procedures that are within the specialties in which the laboratory director, supervisors, or persons engaged to perform the tests are qualified.

(a) *Standard. Proficiency testing.* To the extent that a State health department, directly or through a local health department, makes on-going proficiency testing services in one or more laboratory specialties available to all or to a class of laboratories, the laboratory participates in the program in those specialties in which the laboratory performs tests; and the laboratory does not perform tests in those specialties in which the State or local health department reports an unfavorable evaluation.

(b) *Standard. Procedures and tests—competency.* The laboratory performs only those laboratory procedures and tests that are within the specialties or subspecialties in which the laboratory director, supervisors, or persons engaged to perform the tests are qualified. The factors explaining the standard are as follows:

(1) If the laboratory director or supervisor is a pathologist certified in both anatomical and clinical pathology by the American Board of Pathology or the American Osteopathic Board of Pathology or possesses qualifications which are equivalent to those required for certification, the laboratory may perform laboratory procedures and tests in all specialties.

(2) If neither the director nor supervisor has the qualifications described in subparagraph (1) of this paragraph and the laboratory performs tests in the specialty of microbiology, including the subspecialties of bacteriology, serology, virology, mycology and parasitology, the laboratory engages the services of a qualified director or supervisor, as defined previously, who (i) holds an earned doctoral or master's degree in microbiology from an accredited institution or is a physician and (ii) subsequent to graduation has had at least 4 years' experience in clinical microbiology.

(3) If the factor in subparagraph (1) of this paragraph is not met and the laboratory performs tests in the specialty of immunohematology, including the subspecialties of blood groupings and RH typing, it engages the services of a qualified director or supervisor, as defined previously, who is a physician with at least 2 years' experience in clinical hematology subsequent to graduation.

(4) If the factor in subparagraph (1) of this paragraph is not met and the laboratory performs tests in the specialty of hematology, including gross and microscopic examination of the blood, it engages the services of a qualified director or supervisor, as defined previously, who

holds a master's or bachelor's degree in biology, immunology, or microbiology from an accredited institution and subsequent to graduation has had at least 4 years' experience in hematology.

(5) If the factor in subparagraph (1) of this paragraph is not met and the laboratory performs tests in the specialty of clinical chemistry, it engages the services of a qualified director or supervisor, as defined previously, who (i) holds an earned doctoral or master's degree in chemistry or biochemistry from an accredited institution or is a physician, and (ii) subsequent to graduation has had at least 4 years' experience in clinical chemistry.

(6) If the factor in subparagraph (1) of this paragraph is not met and the laboratory performs tests in the specialty of tissue pathology, it engages the services of a pathologist who is certified in anatomical pathology by the American Board of Pathology or the American Osteopathic Board of Pathology or possesses qualifications which are equivalent to those required for certification.

(7) If the factor in subparagraph (1) of this paragraph is not met and the laboratory performs tests in the specialty of exfoliative cytology, it engages the services of a physician who: (i) is certified by the American Board of Pathology or the American Osteopathic Board of Pathology, or possesses qualifications which are equivalent to those required for certification or (ii) is certified by the American Society of Cytology to practice cytopathology.

(8) The laboratory whose director qualifies under § 405.1312(b)(4), may perform tests in the laboratory specialties (i) in which such director is qualified by training and experience, or in which he has achieved a satisfactory grade through an examination conducted by or under the sponsorship of the U.S. Public Health Service, as discussed in § 405.1312(b)(4) (iii) (c), and (ii) in which successful participation in a State or State approved proficiency testing program has been demonstrated. It performs tests in other laboratory specialties only if the supervisor meets the appropriate requirements of subparagraphs (1)-(7) of this paragraph. The laboratory may not, on the basis of the director's qualifications under § 405.1312(b)(4), perform tests requiring the services of a physician, namely, tissue pathology, cytology, and immunohematology.

§ 405.1315 Condition—clinical laboratory; technical personnel.

The clinical laboratory has a sufficient number of properly qualified technical personnel for the volume and diversity of tests performed.

(a) *Standard. Technologist—duties.* The laboratory employs a sufficient number of clinical laboratory technologists to proficiently perform under general supervision the clinical laboratory tests which require the exercise of independent judgment. The factors explaining the standard are as follows:

(1) The clinical laboratory technologists perform tests which require the

exercise of independent judgment and responsibility, with minimal supervision by the director or supervisors, in only those specialties or subspecialties in which they are qualified by education, training, and experience.

(2) With respect to specialties in which the clinical laboratory technologist is not qualified by education, training, or experience, he functions only under direct supervision and performs only tests which require limited technical skill and responsibility.

(3) Clinical laboratory technologists are in sufficient number to adequately supervise the work of technicians and trainees.

(b) *Standard. Technologists—qualifications.* Each clinical laboratory technologist possesses a current license as a clinical laboratory technologist issued by the State, if such licensing exists, and meets one of the following requirements:

(1) Successful completion of a full course of study which meets all academic requirements for a bachelor's degree in medical technology from an accredited college or university.

(2) Successful completion of 3 academic years of study (a minimum of 90 semester hours or equivalent) in an accredited college or university which met the specific requirements for entrance into, and the successful completion of a course of training of at least 12 months in, a school of medical technology approved by the Council on Medical Education and Hospitals of the American Medical Association.

(3) Successful completion in an accredited college or university of a course of study which meets all academic requirements for a bachelor's degree in one of the chemical, physical, or biological sciences, and additional experience and/or training covering several fields of medical laboratory work, provided the combination has given the applicant the equivalent of the education and training in medical technology described in subparagraph (1) or (2) of this paragraph.

(4) Successful completion of 3 years (90 semester hours or equivalent) in an accredited college or university with a distribution of courses as shown below, and, in addition, successful experience and/or training covering several fields of medical laboratory work of such length (not less than 1 year), and of such quality that this experience or training, when combined with the education, will have provided the applicant with education and training in medical technology equivalent to that described in subparagraph (1) or (2) of this paragraph. Distribution of course work: (Where semester hours are stated, it is understood that the equivalent in quarters hours is equally acceptable. The specified courses must have included lecture and laboratory work. Survey courses are not acceptable.)

(i) For those whose training was completed prior to September 15, 1963: At least 24 semester hours in chemistry and biology courses of which not less than 9 semester hours must have been in chemistry and must have included at least 6 semester hours in inorganic chemistry,

and not less than 12 semester hours must have been in biology courses pertinent to the medical sciences.

(ii) For those whose training was completed after September 15, 1963: Sixteen semester hours in chemistry courses which included at least 6 semester hours in inorganic chemistry and are acceptable toward a major in chemistry; 16 semester hours in biology courses which are pertinent to the medical sciences and are acceptable toward a major in the biological sciences; and 3 semester hours of mathematics.

(5) For a period ending June 30, 1971, an exception to the requirements in subparagraph (1), (2), (3), or (4) of this paragraph may be made if (i) the technologist was performing the duties of a clinical laboratory technologist on, or within the 5 years preceding, July 1, 1966, and (ii) the technologist has had at least 10 years of pertinent clinical laboratory experience prior to July 1, 1966: *Provided*, That a minimum of 30 semester hours of credit toward a bachelor's degree from an accredited institution with a chemical, physical or a biological science as his major subject or 30 semester hours in an approved school of medical technology shall reduce the required years of experience by 2 years, with any additional hours further reducing the required years of experience at the rate of 15 hours for 1 year.

(c) *Standard. Technician—duties.* Clinical laboratory technicians are employed in sufficient number to meet the workload demands of the laboratory and they function only under direct supervision of a clinical laboratory technologist. The factors explaining the standard are as follows:

(1) Each clinical laboratory technician performs only those laboratory procedures which require limited technical skill and responsibility and a minimal exercise of independent judgment.

(2) No one with lesser qualifications than a clinical laboratory technician performs laboratory procedures, although manual and clerical supplemental services may be rendered by others.

(3) No clinical laboratory technician performs tests in the absence of a clinical laboratory technologist.

(d) *Standard. Technician—qualifications.* Each clinical laboratory technician possesses a current license as a clinical laboratory technician issued by the State, if such licensing exists, and meets one of the following requirements:

(1) He is a high school graduate and subsequent to graduation has completed at least 1 year in a technician training program approved by the Council on Medical Education and Hospitals of the American Medical Association or approved by the Secretary.

(2) He is a high school graduate and subsequent to graduation has served 2 years as a technician trainee in a clinical laboratory with a director at the doctoral level, or in the case of a State which regulates clinical laboratory personnel, in a clinical laboratory acceptable to that State.

(3) He is a high school graduate and subsequent to graduation has successfully completed an official military medical laboratory procedures course of at least 50 weeks duration, and has held, at the journeyman's level, the military enlisted occupational specialty of Medical Laboratory Specialist (Laboratory Technician).

(4) For a period ending June 30, 1971, an exception to the requirements in subparagraph (1), (2), or (3) of this paragraph may be made if (i) the technician was performing the duties of a clinical laboratory technician on, or within the 5 years preceding, July 1, 1966, and (ii) the technician has had at least 5 years of pertinent clinical laboratory experience prior to July 1, 1966: *Provided*, That a minimum of 30 semester hours of credit toward a bachelor's degree from an accredited institution with a chemical, physical, or a biological science as his major subject, shall reduce the required years of experience by 2 years, with any additional hours further reducing the required years of experience at the rate of 15 hours for 1 year: *And provided also*, That the required 5 years of experience shall not be so reduced by more than 4 years.

(e) *Standard. Collection of specimens.* No person other than a licensed physician or one otherwise authorized by law manipulates a patient for the collection of specimens except that qualified technical personnel of the laboratory may collect blood or remove stomach contents and collect material for smears and culture under the direction or upon the written request of a licensed physician.

(f) *Standard. Personnel policies.* There are written personnel policies, practices, and procedures that adequately support sound laboratory practice. The factors explaining the standard are as follows:

(1) Current employee records are maintained and include a résumé of each employee's training and experience.

(2) Files contain evidence of adequate health supervision of employees, such as results of preemployment and periodic physical examinations, including chest X-rays, and records of all illnesses and accidents occurring on duty.

(3) Work assignments are consistent with qualifications.

(4) There is a program for employee orientation.

§ 405.1316 Condition—clinical laboratory; records, equipment, and facilities.

The clinical laboratory maintains records, equipment, and facilities which are adequate and appropriate for the services offered.

(a) *Standard. Laboratory management.* Space, facilities, and equipment are adequate to properly perform the services offered by the laboratory. The factors explaining the standard are as follows:

(1) There is an adequate quality control program in effect including the use, where applicable, of reference or control

sera and other biological samples, concurrent calibrating standards, and control charts recording standard readings.

(2) All equipment is in good working order, routinely checked and precise in terms of calibration.

(3) Workbench space is ample, well-lighted and convenient to sink, water, gas, suction and electrical outlets as necessary.

(4) The laboratory is properly ventilated.

(5) Notebooks of appropriate current laboratory methods are available.

(6) Adequate fire precautions are observed.

(7) There is freedom from unnecessary physical, chemical, and biological hazards.

(b) *Standard. Sterilization.* Syringes, needles, lancets or other blood letting devices capable of transmitting infection from one person to another are not reused unless they are sterilized prior to each use after first having been wrapped or covered in a manner which will insure that they remain sterile until the next use. The factor explaining the standard is as follows:

(1) Each sterilizing cycle contains an indicator device which assures proper sterilization.

(c) *Standard. Examination and reports.* The laboratory examines specimens only at the request of a licensed physician, dentist, or other person authorized by law to use the findings of laboratory examinations and reports only to those authorized by law to receive such results. The factors explaining the standard are as follows:

(1) If the patient is sent to the laboratory, a written request for the desired laboratory procedures is obtained from a person authorized by law to use findings of laboratory examinations.

(2) If only a specimen is sent, it is accompanied by a written request.

(3) If the laboratory receives reference specimens from another laboratory, it reports back to the laboratory submitting the specimens.

(d) *Standard. Specimens—records.* The laboratory maintains a record indicating the daily accession of specimens each of which is numbered or otherwise appropriately identified. The factor explaining the standard is as follows:

Records contain the following information:

(1) The laboratory number or other identification of the specimen.

(2) The name and other identification of the person from whom the specimen was taken.

(3) The name of the licensed physician or other authorized person or clinical laboratory who submitted the specimen.

(4) The date the specimen was collected by the physician or other authorized person.

(5) The date the specimen was received in the laboratory.

(6) The condition of unsatisfactory specimens when received (e.g., broken, leaked, hemolyzed or turbid, etc.).

(7) The type of test performed.

(8) The result of the laboratory test or cross reference to results and the date of reporting.

(e) *Standard. Laboratory report and record.* The laboratory report is sent promptly to the licensed physician or other authorized person who requested the test and a suitable record of each test result is preserved by the laboratory in accordance with the State's statutes of limitations. The factors explaining the standard are as follows:

(1) The laboratory director is responsible for the laboratory report.

(2) Duplicate copies or a suitable record of laboratory reports are filed in the laboratory in a manner which permits ready identification and accessibility.

(3) Tissue pathology reports utilize acceptable terminology of a recognized system of disease nomenclature.

(4) The results of laboratory tests or procedures or transcript thereof are not sent to the patient concerned except with the written consent of the physician or other authorized person who requested the test.

[F.R. Doc. 66-13523; Filed, Dec. 15, 1966; 8:50 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 66-280]

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

Intercoastal Residue-Cargo Procedure

As a result of an employee's suggestion and in order to reduce the paperwork of vessel operators and customs officers, it has been decided that §§ 4.85(c) and 4.86(a), Customs Regulations, should be amended. The amendments will provide that when a vessel arrives at the first port on a coast from another coast in an intercoastal movement, a manifest will be required for the inward foreign residue cargo declared for discharge at optional ports on that coast. This will be in lieu of the requirement for a complete manifest of all inward foreign cargo remaining on board the vessel for discharge on the second coast, whether to an optional port or a specified port. Accordingly, the Customs Regulations are hereby amended.

The fifth sentence of § 4.85(c) is amended to read as follows: "In the case of a vessel arriving at the first port on a coast from another coast with cargo manifested for optional ports of delivery as provided in § 4.86, a manifest in original only of inward foreign cargo for discharge at optional ports on that coast must be furnished by the master upon entry and must designate the actual intended ports of discharge."

The fourth sentence of § 4.86(a) is amended to read as follows: "For this purpose, the master shall furnish with the other papers required upon entry a

manifest in original only of inward foreign cargo remaining on board for discharge at optional ports on that coast, and the manifest must designate the specific ports of actual intended discharge for that cargo."

(89 Stat. 379, R.S. 251, secs. 439, 442, 443, 444, 624, 46 Stat. 712, as amended, 713, 759; 5 U.S.C. 301, 19 U.S.C. 66, 1439, 1442, 1443, 1444, 1624)

[SEAL] EDWIN F. RAINS,
Acting Commissioner of Customs.

Approved: December 8, 1966.

TRUE DAVIS,
Assistant Secretary
of the Treasury.

[F.R. Doc. 66-13511; Filed, Dec. 15, 1966;
8:48 a.m.]

Title 22—FOREIGN RELATIONS

Chapter I—Department of State

SUBCHAPTER F—NATIONALITY AND PASSPORTS [Dept. Reg. 108.544]

PART 51—PASSPORTS

Passports Invalid for Travel in Restricted Areas

Part 51, Chapter I, Title 22, Code of Federal Regulations, § 51.72 (as corrected at 31 F.R. 13654, Oct. 22, 1966) is amended to extend existing travel restrictions until March 15, 1967.

Section 51.72 is amended to read as follows:

§ 51.72 Passports invalid for travel to restricted areas.

Upon determination by the Secretary that a country or area is:

(a) A country with which the United States is at war or

(b) A country or area where armed hostilities are in progress or

(c) A country or area to which travel must be restricted in the national interest because such travel would seriously impair the conduct of U.S. foreign affairs,

U.S. passports shall cease to be valid for travel to, in, or through such country or area unless specifically validated therefor: *Provided, however*, That the restrictions existing as of this date on the validity of passports for travel to certain countries or areas shall remain in effect until March 15, 1967. Any determination made under this section shall be published in the FEDERAL REGISTER along with a statement of the circumstances requiring the restriction. Any such restriction shall expire at the end of 1 year from the date of publication of such notice in the FEDERAL REGISTER, unless extended by the Secretary by public notice.

Effective date. This amendment shall become effective on December 16, 1966.

The provisions of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) relative to notice of proposed rule making are inapplicable to this order because the regulation con-

tained herein involves foreign affairs functions of the United States.

JOHN M. STEEVES,
Acting Deputy Under Secretary
for Administration.

DECEMBER 13, 1966.

[F.R. Doc. 66-13577; Filed, Dec. 15, 1966;
8:50 a.m.]

Title 32—NATIONAL DEFENSE

Chapter VII—Department of the Air Force

SUBCHAPTER B—SALES AND SERVICES

PART 817—CREDIT UNIONS

SUBCHAPTER C—PUBLIC RELATIONS

PART 836—RELEASE OF INFORMATION RELATING TO CRIMINAL PROCEEDINGS

Miscellaneous Amendments

The following amendments are made to Chapter VII of Title 32:

1. In § 817.3, subparagraphs (3) and (8) of paragraph (c) are revised, and new subparagraph (10) of paragraph (c) is added, as follows:

§ 817.3 Policy on credit unions.

(c) * * *

(3) Credit unions which:

(i) Occupy Government-owned office space will be provided services such as light, heat, janitorial services, fixtures, and maintenance without charge. However, they will reimburse the host base for alterations performed and for telephone services provided.

(ii) Do not occupy Government-owned office space will pay fair rental for the land, for utilities consumed, and for services furnished. They will also provide for their own maintenance, janitorial services, fixtures, alterations, and telephone services.

* * *

(8) The erection of structures on Air Force installations at credit union expense may be authorized if such proposals are first reviewed and approved for conformity with long-range master utilization plans by the Director of Civil Engineering (AFOCE), Hq USAF, and the Assistant Secretary of Defense (Installations and Logistics). Credit unions that submit such plans for consideration must agree to be financially responsible as required by subparagraph (3) (ii) of this paragraph.

* * *

(10) Credit unions on USAF installations in overseas areas will be established, operated, and regulated through directives issued by the appropriate unified command commander.

(Sec. 8012, 70A Stat. 488; 10 U.S.C. 8012; AFR 211-4A, Dec. 2, 1966)

2. A new Part 836 is added as follows:

- Sec.
- 836.1 Purpose.
- 836.2 Policy governing release.
- 836.3 Responsibility for interpreting the policy.
- 836.4 Time periods involved.
- 836.5 Information that may be made public.
- 836.6 Information that may not be made public.
- 836.7 Information that may be released under some circumstances.
- 836.8 Photographing or televising the accused.
- 836.9 Handling requests for policy waivers.

AUTHORITY: The provisions of this Part 836 issued under sec. 8012, 70A Stat. 488; 10 U.S.C. 8012.

SOURCE: AFR 111-17, August 16, 1966.

§ 836.1 Purpose.

This part states the policy on releasing information relating to criminal proceedings to news media; it includes certain restrictions imposed on such release.

§ 836.2 Policy governing release.

The release of information for the purpose of influencing a trial is improper and is prohibited. However, there are valid reasons for making information available to the public about the administration of the Uniform Code of Military Justice. The objective is to achieve a fair balance between the protection of the rights of individuals accused of crime and the right of the public to be informed about the administration of justice.

§ 836.3 Responsibility for interpreting the policy.

When a request for information is directed to a command, the staff judge advocate has the initial responsibility for interpreting this part and applying its terms to the request. The actual release of information is a command responsibility, usually delegated to the Information Officer. Within the guidelines provided in this part, the staff judge advocate and the Information Officer must study the facts and implications of each case to provide intelligent advice to the commander. This part is not intended to replace good judgment and common sense.

§ 836.4 Time periods involved.

The principles given in this part apply to the release of information to news media from the time a person subject to the Uniform Code of Military Justice is apprehended, confined, or charged with a criminal offense until the proceeding has been terminated, by trial or otherwise.

§ 836.5 Information that may be made public.

Subject to any limitations imposed by law, regulation, security requirement, or rule or order of court, the following information may be made public in every case:

(a) The accused person's name, age, unit, assignment, marital status, length of service, and home town.

RULES AND REGULATIONS

(b) The substance or the text of charges and specifications.

(c) Date and place of trial, or approximate date if it can be reasonably anticipated.

(d) Identity and qualifications of appointed counsel.

(e) Identities of investigating and apprehending agencies and length of investigation.

(f) Identities of convening and reviewing authorities if case has been referred for trial.

(g) Factual accounts of the status of the case from the time of apprehension or preferring of charges through the completion of appellate review.

§ 836.6 Information that may not be made public.

Subject to the exceptions described in § 836.9, the following information may not be made public in any case:

(a) Statements, admissions, or confessions attributable to the accused.

(b) Observations about the accused's character.

(c) References to investigative procedures, such as fingerprints, polygraph examinations, and ballistics, or laboratory tests.

(d) Statements concerning the identity, credibility, or testimony of prospective witnesses.

(e) Statements concerning evidence or theories regarding the guilt or innocence of accused persons, whether or not it is anticipated that such evidence or theories will be used at trial.

(f) Description of items seized at apprehension.

(g) Facts regarding the accused person's disciplinary record, including non-judicial punishment and prior court-martial convictions.

(h) Opinions regarding Air Force policy toward persons convicted or accused of offenses similar to those involved in a particular case.

§ 836.7 Information that may be released under some circumstances.

The following information will not be volunteered in material prepared for publication, but may be released upon specific inquiry, to the extent the staff judge advocate determines that the rights of the accused will not be injured thereby:

(a) The circumstances immediately surrounding an apprehension, including time and place, resistance, pursuit, and the accused's possession and use of weapons.

(b) The identities and backgrounds of court members and the Law Officer.

§ 836.8 Photographing or televising the accused.

Representatives of the Air Force will not encourage or assist news media in photographing or televising an accused person being held or transported in custody. Unless the accused is a fugitive, or unless a law enforcement function will be served thereby, his photographs will not be made available.

§ 836.9 Handling requests for policy waivers.

The foregoing are generally applicable principles. There may be situations in which these proscriptions will limit release of information that would not be prejudicial in the particular circumstances. If the staff judge advocate believes it to be consistent with the fair administration of justice, he may refer such unusual requests, with his recommendations, to The Judge Advocate General for resolution.

By order of the Secretary of the Air Force.

LUCIAN M. FERGUSON,
Colonel, U.S. Air Force, Chief,
Special Activities Group, Office
of The Judge Advocate General.

[F.R. Doc. 66-13477; Filed, Dec. 15, 1966;
8:45 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 202—ANCHORAGE REGULATIONS

St. Thomas Harbor, V.I.

Pursuant to the provisions of section 7 of the River and Harbor Act of March 4, 1915 (38 Stat. 1053; 33 U.S.C. 471), § 202.250 establishing and governing the use of anchorages in St. Thomas Harbor, V.I. is hereby amended with respect to paragraph (a), deleting reference to Ballast Island and changing the descriptions in subparagraphs (1) and (4), and redesignating the boundaries of the outer harbor and deep-draft anchorages in subparagraphs (2) and (5), effective 30 days after publication in the FEDERAL REGISTER, as follows:

§ 202.250 St. Thomas Harbor, Charlotte Amalie, V.I.

(a) *The anchorage grounds*—(1) *Inner harbor anchorage*. Beginning at a point bearing 85°, 525 yards from the outer end of a pier at latitude 18°20'19", longitude 64°56'26" (approximate); thence 146°, 800 yards; thence 70°, 860 yards; thence 340°, 500 yards; and thence to the point of beginning.

(2) *Outer harbor anchorage*. Beginning at Scorpion Rock lighted buoy No. 1 (latitude 18°19'25.6", longitude 64°55'41.8"); thence 180°, 1,580 yards; thence 264°30', 2,490 yards; thence due north 1,255 yards; thence due east to the southerly tip of Sprat Point, Water Island; thence to Cowell Point, Hassel Island; and thence to the point of beginning.

(4) *Small-craft anchorage*. All the waters north of a line passing through the outer end of a pier at latitude 18°20'19", longitude 64°56'26" (approximate) and ranging 85°.

(5) *Deep-draft anchorage*. A circular area having a radius of 400 yards with its

center at latitude 18°19'12.2", longitude 64°58'47.8".

[Regs., Nov. 29, 1966, 1507-32 (St. Thomas Harbor, V.I.) ENGOW-ON] (sec. 7, 38 Stat. 1053; 33 U.S.C. 471)

KENNETH G. WICKHAM,
Major General, U.S. Army,
The Adjutant General.

[F.R. Doc. 66-13478; Filed, Dec. 15, 1966;
8:45 a.m.]

Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration PART 17—MEDICAL

State Home Facilities for Furnishing Nursing Home Care

1. Section 17.172 is revised to read as follows:

§ 17.172 Scope of grants program.

Subject to the availability of an appropriation, a grant may be made to a State which has submitted, and has had approved by the Administrator, an application for assistance to construct State home facilities as prescribed in Appendix B to the regulations of this part concerning State home facilities for furnishing nursing home care.

2. In § 17.173, paragraph (d) is amended to read as follows:

§ 17.173 Applications with respect to projects.

(d) The Administrator shall certify applications which he approves to the Secretary of the Treasury in the amount of the grant requested, but in no event an amount greater than 50 per centum of the estimated cost of construction of the project, and shall designate the appropriation from which it shall be paid. Such certification shall provide for payment to the applicant or, if designated by the applicant, the State home for which such project is being constructed or any other agency or instrumentality of the applicant. Such amount shall be paid by way of reimbursement, and in such installments consistent with the progress of construction as the Administrator may determine and certify for payment to the Secretary of the Treasury. Funds paid for the construction of an approved project will be used solely for carrying out such project as so approved.

3. Immediately following § 17.176, Appendix A is revised to read as follows:

APPENDIX A

(See § 17.171)

STATE HOME FACILITIES FOR FURNISHING NURSING HOME CARE

The maximum number of beds, as required by 38 U.S.C. 5034(1), to provide adequate nursing home care to war veterans residing in each State is established as follows:

State	War veteran population*	No. of beds
Alabama	310,000	465
Alaska	21,000	82
Arizona	175,000	263
Arkansas	189,000	284
California	2,285,000	3,428
Colorado	221,000	332
Connecticut	347,000	521
Delaware	50,000	84
District of Columbia	95,000	143
Florida	708,000	1,062
Georgia	378,000	560
Hawaii	46,000	69
Idaho	72,000	108
Illinois	1,250,000	1,875
Indiana	540,000	810
Iowa	297,000	446
Kansas	241,000	362
Kentucky	297,000	446
Louisiana	326,000	489
Maine	107,000	161
Maryland	406,000	609
Massachusetts	670,000	1,005
Michigan	904,000	1,356
Minnesota	394,000	591
Mississippi	176,000	264
Missouri	506,000	759
Montana	78,000	117
Nebraska	146,000	219
Nevada	50,000	75
New Hampshire	79,000	119
New Jersey	846,000	1,269
New Mexico	104,000	156
New York	2,082,000	3,123
North Carolina	421,000	632
North Dakota	53,000	80
Ohio	1,194,000	1,791
Oklahoma	264,000	396
Oregon	235,000	353
Pennsylvania	1,413,000	2,120
Rhode Island	109,000	164
South Carolina	266,000	399
South Dakota	67,000	101
Tennessee	371,000	557
Texas	1,070,000	1,605
Utah	101,000	152
Vermont	41,000	62
Virginia	431,000	647
Washington	359,000	539
West Virginia	191,000	287
Wisconsin	437,000	656
Wyoming	42,000	63
Puerto Rico (Commonwealth)	80,000	129

*Data as of June 30, 1964.

Source: Research Division, Office of the VA Controller. (Based on last available Bureau of the Census data.)

4. In Appendix B (immediately following Appendix A), items 1; 2a; 3b; 6 a, b, c (2) and (4) and d; the introductory portion of item 10; 14a; b(1) (b), b(3) (d) 2; and 15d and e(3) (except Group III Equipment) are amended to read as follows:

APPENDIX B

GENERAL STANDARDS OF CONSTRUCTION AND EQUIPMENT FOR STATE HOME FACILITIES FOR FURNISHING NURSING HOME CARE

1. *Introduction.* a. The standards set forth in this appendix are established as required by 38 U.S.C. 5034(2). Such standards constitute general criteria for construction and equipment and shall apply to all projects for which Federal assistance is requested under 38 U.S.C. 5035. They are considered necessary to insure properly planned and well-constructed State home facilities which can be maintained and efficiently operated to furnish nursing home care.

b. No attempt has been made in developing these standards to comply with all of the various State and local codes and regulations which must be observed. The standards set forth herein must be followed where they exceed any State or local codes and regulations. Conversely, compliance is required with minimum standards of construction and equipment promulgated by the State agency where such requirements provide a higher standard than the standards contained in this appendix. However, the additional cost, if any, in upgrading over

Veterans Administration standards should be carefully considered and justified. These standards apply to all new construction, repairs, modernization, alteration, and equipment for facilities for furnishing nursing home care which are constructed with assistance received under 38 U.S.C. 5035.

c. The space criteria, functional areas, equipment and construction standards contained in this appendix should be used as a guide. Additional facilities beyond those specified as basic facilities may be included if found to be required by the program but are subject to approval by Veterans Administration. Substantial deviation from the space, equipment and construction standards included in this appendix should be carefully considered and justified. Except for occasional variances which would require individual justification, failing to meet or exceeding the space criteria by more than 10 percent in the aggregate would be regarded respectively as evidence of inferior construction or as exceeding the boundaries of professional requirements as ordinarily comprehended by nursing home care. Veterans Administration participation may be subject to proportionate reduction in those projects which exceed the aggregate maximum space criteria by more than 10 percent or contain functional areas which are not approved.

2. *Site survey and soil investigation.* a. The State agency shall provide for a survey and soil investigation of the site and furnish a plat of the site. The purpose of this survey and soil investigation is to obtain all information necessary for the design of the building foundations and mechanical service connections and development of the site. It is suggested that this matter be deferred until the architect has been selected in order that he may cooperate with the engineer who obtains the data.

3. Site.

b. The site should not be near insect-breeding areas, noise or other nuisance producing industrial developments, airports, railways or highways producing noise or air pollution, or near a cemetery or near a natural or potential flood water hazard. In the event that a potential flood hazard site can not be avoided then adequate provision must be made to eliminate or minimize the effect of the hazard.

6. Basic facilities.

a. Administrator's department.

INDEPENDENT FACILITY

- (1) Office, Administrator (maximum 200 sq. ft. including private toilet).
- (2) Office, Secretary and waiting (maximum, 120 sq. ft.).
- (3) Office, Registrar or equivalent (maximum 150 sq. ft.).
- (4) Office, clerical (maximum 80 sq. ft. per person).
- (5) Office, Nurse Supervisor (maximum 150 sq. ft.).
- (6) Conference and consultation room (maximum 500 sq. ft.).
- (7) Lobby and waiting area (maximum of 1.5 sq. ft. per bed. Minimum 80 sq. ft. and maximum 500 sq. ft.).
- (8) Public toilet facilities—Male (maximum 70 sq. ft.); Female (maximum 70 sq. ft.).

COMBINED FACILITY

- (1) Office, Assistant Registrar or equivalent (maximum 120 sq. ft.).
- (2) Office, Clerical (maximum 80 sq. ft. per person).
- (3) Office, Nurse Supervisor (maximum 120 sq. ft.).

¹ Desirable but not mandatory.

(4) Conference and consultation room (maximum 300 sq. ft.).¹

(5) Lobby and waiting area (maximum of 1.5 sq. ft. per bed, minimum 80 sq. ft., and maximum 500 sq. ft.).

(6) Public toilet facilities—male (maximum 70 sq. ft.); female (maximum 70 sq. ft.).

b. *Ancillary facilities.* (1) Recreation room and storage.

(2) Occupational activities room and storage.

(3) Patients' dining room.

(The total space to be provided for the above activities is to be based on a minimum of 25 sq. ft. or a maximum of 50 sq. ft. per bed for 75 percent of the total beds in the nursing home. It is also recommended that the recreational, occupational activities, and patients' dining areas be adjacent so that they can be combined into one room for recreational and other group activity purposes.)

(4) Physical therapy service (maximum of 2.5 sq. ft. per bed, minimum 150 sq. ft.).

(5) Patients' personal laundry¹ (maximum 100 sq. ft. for a 40-bed unit, plus 1 sq. ft. per bed above 40).

(6) Outdoor recreation area such as patios or screened porches¹ (maximum of 5 sq. ft. per bed).

(7) Barbershop and beauty shop. (The provision for a barbershop and/or a beauty shop up to a maximum of 120 sq. ft. each will be considered if it can be justified on the basis of the number of veterans to be served and the availability of such service in the parent institution.)

c. Nursing Department: * * *

(2) *Size of nursing unit.* From the standpoint of staffing a 40-bed unit is most desirable; however, under exceptional circumstances, less than 30-bed or more than 50-bed units could be allowed. Not less than 50 percent shall be provided in either single or double-bedded rooms or a combination of both.

(4) *Service facilities for each 40-bed nursing unit with suggested space.* (a) Nurses' station with ward secretary and medication area (maximum 250 sq. ft.).

(b) Nurses' toilet (maximum 30 sq. ft.).

(c) Clean utility room (maximum 80 sq. ft.).

(d) Soiled utility room (maximum 100 sq. ft.).

(e) Treatment room located adjacent to nurses' station (maximum 140 sq. ft.).

(f) Floor pantry or nourishment kitchen (maximum 75 sq. ft.).

(g) *Patient toilet facilities.* Connecting toilets between adjoining bedrooms are recommended. Lavatories and water closets should be designed to accommodate wheelchair type patients. If congregate toilet facilities are planned, separate facilities for both male and female patients will be provided. Veterans Administration participation in congregate toilet facilities will be based on a maximum of one water closet and one lavatory per 8 beds and one urinal per 10 beds. Space will be based on a maximum of 22.5 square feet per fixture. At least one half of the lavatories and water closets should be designed for use by wheelchair type patients. If a combination of connecting and congregate facilities are provided, the number of beds served by the connecting facilities will be deducted from the total number of beds in calculating the number of fixtures required in the congregate facilities.

(h) *Other toilet facilities.* Toilets to serve both staff and visitors are recommended on each floor of multifloor projects and on single level projects when the location and size of the unit precludes the use of facilities provided near the lobby and waiting area.

Male toilet facilities (maximum 45 sq. ft.).
Female toilet facilities (maximum 30 sq. ft.).

(i) *Patient bathing facilities.* Congregate bath facilities are recommended but at least one separate tub or shower must be provided to serve female patients. If more than one tub is provided one should be a pedestal type tub. Veterans Administration participation in bathing facilities will be limited to one fixture per 10 beds plus the one additional fixture provided for female patients on each unit. Space will be based on a maximum of 60 square feet per fixture. It is recommended that a water closet and lavatory be provided in each congregate bathing facility.

(j) *Stretcher and wheelchair parking area* (maximum 130 sq. ft.).

(k) *Clean linen storage* (maximum 70 sq. ft.).

(l) *Equipment and supply storage* (maximum 70 sq. ft.).

(m) *Janitor's closet* (maximum 50 sq. ft.).

d. *Service departments*—(1) *Dietary facilities*²

(a) Kitchen.

(b) Dishwashing room.

(c) Adequate refrigeration.

(d) Garbage disposal facilities.

(e) *Personnel dining facilities* (minimum 12 sq. ft.—Maximum 15 sq. ft. per seat).

(f) *Subsistence storage* (maximum 3.5 sq. ft. per bed).

(2) *Janitor's closet* (maximum 50 sq. ft.).

(a) 1—per nursing unit.

(b) 1—Dietetic area.

(c) 1—Administrative area (provided no other closet on that floor).

(d) 1—Minimum of one per floor—The janitor's closet in dietetic area should not serve other areas.

(3) *Housekeeping facilities.* (a) *Clean linen facilities* (maximum 1.5 sq. ft. per bed).

(b) *Solled linen facilities* (maximum 1 sq. ft. per bed).

(c) *Trash collection* (maximum 60 sq. ft.).

(d) *Laundry*.³

ALLOWANCE FOR LAUNDRY AREAS

No. of beds	Gross building (sq. ft.) area	Service platform (sq. ft.)
25	1,000	100
50	1,100	100
75	1,400	100
100	2,100	200
150	2,400	200
200	3,000	200
250	3,700	300
300		

(4) *Mechanical facilities*.² (a) *Boiler room.*

(b) *Maintenance facilities.* Minimally a work bench in boiler room. In larger nursing homes separate maintenance facilities should be provided.

(c) *Incinerator.*

(5) *Employees' facilities.* (a) *Male locker room and toilet.* 1 locker per male employee—6 sq. ft. each; 1 water closet and lavatory per 20 male employees (maximum 25 sq. ft. each fixture); 1 urinal per 40 employees (maximum 25 sq. ft. each fixture); 1 lounge (maximum of 100 sq. ft. in projects of 150 beds or more).

(b) *Female locker room and toilet.* 1 locker per female employee—6 square feet each; 1 lounge (maximum 100 sq. ft.); 1 water closet and lavatory per each 15 female employees (maximum 25 sq. ft. per fixture).

²As required by the scope of the project under consideration, and subject to the review and approval of the Veterans Administration.

³If required by program.

(6) *Storage.* General storage—8.5 sq. ft. per bed. (Includes patients' clothing and baggage storage room and storage for outdoor equipment. Excludes subsistence storage—Refer to service departments.)

10. *Mechanical requirements.* Existing mechanical and electrical systems shall be utilized for a proposed nursing home as far as is possible. Special justification is required for replacing or decentralizing heating production or utility reception and distribution for the proposed unit separate from the balance of the institution of which it is a part. Where boilers or incinerators are provided the design and specifications shall comply with the standards relating to control of air pollution issued by the U.S. Public Health Service implementing Executive Order 11282.

14. *Requirements for preparation of plans, specifications, and estimates*—a. *General.* (1) The requirements contained in Item 14 have been established for the guidance of the State agency and the architect to provide a standard method of preparation of drawings, specifications and estimates.

(2) The State agency will find it advantageous to submit the material to the Veterans Administration in three stages for its recommendation and approval. However, the State agency may, if it so elects, combine the first two stages.

(3) If the data required under stage 3 is available, it may be submitted without the drawings required under stages 1 and 2.

(4) At stage 3 certification shall be submitted that no new buildings are involved in the project, there is no appreciable overall increase in quantity of sewage discharged to the public sewer, or sewage treatment plant, that there are no appreciable overall changes in the quality of sewage so discharged, and that there are no sewage treatment, or control facilities involved. If there are such changes, evidence of approval of plans by the Federal Water Pollution Control Administration shall be submitted. (See Item 14b(3)(d) 2h for procedure to be followed.)

(5) Copies of the final working drawings and specifications previously submitted under stage 3 will be submitted for approval with the formal application for the project. The requirements for the material submitted at each of the three stages are as follows:

b. *Drawings and specifications*—(1) *First stage—program and schematic plans.* . . .

(b) *Schematic plans.* Single line drawings to scale of each floor showing the relationship of the various departments or services to each other and the room arrangement in each department. The name of each room should be noted. The proposed roads and walks, service and entrance courts, parking and orientation may be shown on either a small plot plan or the first floor plan. Simple elevations in block form showing the height and number of stories should be submitted at this stage.

(3) *Revised cost estimates—Third stage—Working drawings and specifications.* . . .

(d) *Mechanical drawings.* . . .

2. *Plumbing, drainage, and standpipe systems:*

a. *Size and elevation of:* Street sewer, house sewer, house drains, street water main, and water service into the building.

b. *Location and size of:* soil, waste, and vent stacks with connections to house drains, fixtures, and equipment.

c. *Size and location of:* hot, cold and circulating mains, branches and risers from the service entrance and tanks.

d. *Riser diagram* to show all plumbing stacks with vents, water risers, and fixture connections.

e. *Standpipe system.*

f. *Plumbing fixtures and fixtures which require water and drain connections.*

g. *Gas and special connection.*

h. *Instructions concerning approval of construction plans by the Federal Water Pollution Control Administration, Department of the Interior (E.O. 11282 dated July 2, 1966).*

(1) *Submissions to Federal Water Pollution Control Administration Regional Offices* will be made, as hereinafter indicated, on all projects involving: (a) Construction of new buildings of any type; (b) increased quantity of sewage discharge; (c) changes in the quality of sewage discharged (i.e. increased laboratory waste, additional laundry loads, etc.); and (d) sewage treatment, or control facilities. Submissions should be made at earliest practicable design stage.

(2) If the project will develop any additional sewage flows, change in the quality of sewage discharged to the city system, or sewage plant, or include any sewage treatment, or control facilities, the following data must be submitted to the appropriate Regional Office of Federal Water Pollution Control Administration and be approved by that office before the project is issued for bids.

(a) *Project design data*, with regard to sanitary sewage flows and quality, and treatment, or control facilities, including basis on which these determinations were made.

(b) *Eighty percent complete drawings*, showing outside sanitary sewerage system required to handle the project, if requested by Federal Water Pollution Control Administration.

(3) As indicated above, 80 percent completed drawings for all projects requiring submission to Federal Water Pollution Control Administration, with design data corrected to that date, will be sent to the appropriate Federal Water Pollution Control Administration Regional Office for approval and/or comments. When returned with comments, drawings will be appropriately revised, if comments are accepted without requirements for further contacting Federal Water Pollution Control Administration. When a contract project is issued for bids, one copy of each appropriate contract drawing will be furnished the Regional Office.

(4) In the case of projects involving sewage treatment plant or control facilities, copies of appropriate proposed specifications will be submitted to the Federal Water Pollution Control Administration Regional Office with the 80 percent drawings mentioned above. Upon return from Federal Water Pollution Control Administration, appropriate corrections, if indicated, will be made, and copies of final specifications will be sent to Federal Water Pollution Control Administration Regional Office with final contract drawings. Since the Federal Water Pollution Control Administration Regional Office will coordinate sewage treatment project requirements with the State Health Department, and/or other local authorities, all relevant questions arising from local agencies should be referred to Federal Water Pollution Control Administration for resolution.

15. *Equipment requirements.* . . .

d. *Responsibility of State agency.* (1) It shall be the responsibility of the State agency to select and purchase all necessary equipment for the complete functioning of all services included in the project in accordance with these standards and any further standards prescribed by the State agency. Any upgrading in the standards of the equipment with respect to quantity or

additional items not listed which results in additional costs should be carefully considered and justified.

(2) It is essential that the equipment shall be properly apportioned and budgeted to the various services of the facility so that unduly expensive or elaborate equipment is not provided for some services of the project necessitating the use of cheap and inadequate equipment for other services.

(3) As soon as possible after the award of the construction contract, the State agency shall submit to the Veterans Administration for approval a separate, complete itemized list of group I, II, and III equipment. Group I equipment, not included in the construction contract, shall be itemized by category of equipment and show the estimated costs of each category or item and the total costs. The itemized lists of group II and III equipment shall be submitted in a format similar to following equipment planning guide for 40-bed nursing home showing estimated costs for each item and total costs for each functional area or group of items based on the actual number of units and the number of beds in each unit.

(a) Group I equipment (included in construction contract). The percentage of participation in the cost of Group I equipment included in the construction contract will be determined by the Veterans Administration's percentage of participation in the cost of construction.

(b) Group I (not included in construction contract) and Group II and III equipment.¹⁰ The percentage of participation will not exceed 50 percent of the cost of Veterans Administration approved itemized lists of Group I, II, and III equipment.

c. Equipment planning guide for 40-bed nursing home.

(3) List of equipment:

ADMINISTRATION		Suggested quantity
Equipment		
Lobby and waiting room ⁵	1	
Group I equipment:		
Blinds, window, or draperies	1	
Clock outlet and electric clock	1	
Telephone outlet	1	
Group II equipment:		
Chair, arm	2	
Chair, straight without arms	3	
Costumer	1	
Lamp, floor	1	
Lamp, table	1	
Settee, 3 seat	1	
Table, coffee	1	
Table, end	2	
ADMINISTRATOR'S OFFICE ⁵		
Group I equipment:		
Blinds, window, or draperies	1	
Clock outlet and electric clock	1	
Telephone outlet	1	
Group II equipment:		
Bookcase, sectional	1	
Cabinet, filing, card size 3' x 5'	1	
Chair, office, straight	2	
Chair, office, swivel, with arms	1	
Chair, posture	1	
Desk, office, double pedestal	1	
Safe	1	

¹⁰ The value of any of Groups I, II, and III equipment which is to be shared with any facility other than the nursing home care unit will first be prorated on the portion of use and then the percentage of participation in the nursing care project will be determined as applicable.

⁵ Not required if these facilities are available elsewhere.

ADMINISTRATOR'S TOILET

Group I equipment:	
Cabinet, paper towel	1
Clothes hook on door	1
Electric outlet for shaver	1
Lavatory	1
Mirror and shelf over lavatory	1
Paper towel dispenser	1
Water closet	1

CONFERENCE AND CONSULTATION ROOM¹

Group I equipment:	
Blinds, window, or draperies	1
Lavatory, gooseneck spout, with elbow or foot control	1
Cabinet, paper towel	1
Telephone outlet	1
Group II equipment:	
Chair, office with arms	2
Chair, office, swivel, with arms	1
Desk, single pedestal	1
Examining table 74" x 21"	1
X-ray illuminator 14" x 17", portable	1
Can, waste, foot control	1

ALL OTHER OFFICES

SECRETARY'S OFFICE AND WAITING ROOM⁵

Group I equipment:	
Blinds, window, or draperies	1
Clock outlet and electric clock	1
Telephone outlet	1
Group II equipment:	
Bookcase, sectional	1
Cabinet, filing, card size 3' x 5' or 5' x 8'	1
Cabinet, filing, letter size, 5 drawer	1
Chair, office, swivel, without arms	3
Costumer	1
Desk, typist	1
Table, magazine	1
Typewriter, standard or electric	1

REGISTRAR'S OFFICE⁵

Group I equipment:	
Blinds, window, or draperies	1
Clock outlet and electric clock	1
Telephone outlet	1
Group II equipment:	
Bookcase, sectional	1
Cabinet, filing, card size 3' x 5' or 5' x 8'	1
Cabinet, filing, letter size, 5 drawer	1
Chair, office, swivel with arms	1
Chair, office, straight, with arms	1
Desk, office, double pedestal	1
Table, office	1

CLERK'S OFFICE⁵

Group I equipment:	
Blinds, window, or draperies	1
Clock outlet and electric clock	1
Telephone outlet	1
Group II equipment:	
Adding-calculating machine	1
Cabinet, filing, letter size, 5 drawer	2
Cabinet, supply	1
Chair, office, swivel, without arms	1
Chair, office, straight, with arms	2
Costumer	1
Desk-typist	1
Holder, visible index with frames	1
Typewriter, standard or electric	1

NURSE SUPERVISOR'S OFFICE⁵

Group I equipment:	
Blinds, window, or draperies	1
Bulletin board 26" x 34"	1
Clock outlet and electric clock	1
Nurse's call system-master station	1
Telephone outlet	1
Group II equipment:	
Chair, office, swivel, with or without arms	1
Chair, office, straight, with arms	4
Desk, single pedestal or typist	1
Table, office	1

PUBLIC TOILETS

Men's ⁵	1
Group I equipment:	
Cabinet, paper towel	1
Dispenser, soap	1
Fixture, toilet paper, double	1
Lavatory	1
Mirror over lavatory	1
Water closet	1
Urinal	1

Group II equipment: Receptacle, waste.

Women's: ⁵ Same as men's above (omit urinal)

PATIENT'S FACILITIES

1-bedroom and toilet	2
Group I equipment:	
Blinds, window, or draperies	1
Dresser, built-in, with drawers and sliding shelf ⁶	2
Locker, built-in	1
Nurse's call system, audiovisual with corridor signal light, pillow speaker outlet, wall speaker and voice pickup capable of providing for two-way communication when pushbutton is substituted for pillow speaker as well as audiomonitoring. Night light and extension bracket-type reading-examining light	2
Electric outlet, duplex (1 duplex outlet on each side of bed).	1
Fluorescent lighting fixture for general illumination over bed with quiet switch located below the fixture operated by a pull cord or pendant switch	2
Group II equipment:	
Bed, hospital, adjustable, variable height type	2
Bedrails—if beds are not equipped with rails	4
Chair, geriatric	2
Chair, straight	2
Lamp, floor	2
Mattress	2
Stand, bedside, with drawers	2
Table, overbed	2

TOILET

Group I equipment:	
Electric outlet for shaver	1
Fixture, toilet paper, double	2
Grab bars	1
Lavatory	2
Mirror over lavatory, minimum size 16" wide x 25" high, tilted out at top for use by wheelchair patients	2
Shelf under mirror	2
Nurse's call system—emergency call station	2
Towel bar or hook	2
Water closet, with improved type bedpan flusher	2
1-bed room with connecting toilet	6
Group I equipment:	
Blinds, window, or draperies	1
Dresser, built-in, with drawers and sliding shelf ⁶	6
Locker, built-in	6
Nurse's call system, audiovisual with corridor signal light, pillow speaker outlet, wall speaker and voice pickup capable of providing for two-way communication when pushbutton is substituted for pillow speaker as well as audiomonitoring. Night light and extension bracket-type reading-examining light	6
Pillow speaker for use with nurse's call system	6
Electric outlet, duplex (1 duplex outlet on each side of bed)	12

¹ Desirable but not mandatory.

⁶ Movable furniture may be substituted.

TOILET—Continued

Group I equipment—Continued	
Fluorescent light fixture for general illumination over bed with quiet switch located below the fixture operated by a pull cord or pendant switch	6
Group II equipment:	
Bed, hospital, adjustable, variable height types	6
Bedrails—if beds are not equipped with rails	12
Chair, geriatric	6
Chair, straight	6
Lamp, floor	6
Mattress	6
Stand, beside with drawers	6
Table, overbed	6
Toilet between 1-bed rooms	3
Group I equipment:	
Electric outlet for shaver	3
Fixture, toilet paper, double	3
Grab bars	3
Lavatory	3
Mirror over lavatory, minimum size 16" wide x 25" high, tilted out at top for use by wheelchair patients	3
Shelf under mirror	3
Nurse's call system—emergency call station	3
Towel bar or hook	3
Water closet, with improved type bedpan flusher	3
2-bed rooms with connecting toilet	6
Group I equipment:	
Blinds, window, or draperies	
Dresser, built-in, with drawers and sliding shelf	12
Locker, built-in	12
Nurse's call panel, audiovisual with corridor signal light, pillow speaker outlet, wall speaker and voice pickup capable of providing for 2-way communication when push-button is substituted for pillow speaker as well as audiomonitoring	6
Lamp, reading-examining, extension bracket type	12
Pillow speaker for use with nurse's call system	12
Electric outlet, duplex (1 duplex outlet on each side of bed)	24
Fluorescent light fixture for general illumination over bed with quiet switch located below the fixture operated by a pull cord or pendant switch	12
Night light	6
Group II equipment:	
Bed, hospital, adjustable, variable height types	12
Bedrails—if beds are not equipped with rails	24
Chair, geriatric	12
Chair, straight	12
Lamp, floor	6
Mattress	12
Stand, bedside with drawers	12
Table, overbed	12
Toilet between 2-bed rooms	3
Group I equipment:	
Electric outlet for shaver	3
Fixture, toilet paper, double	3
Grab rail	3
Lavatory	3
Mirror over lavatory, minimum size 16" wide x 25" high, tilted out at top for use by wheelchair patients	3
Shelf under mirror	3
Nurse's call system—emergency call station	3
Towel bar or hook	3
Water closet, with improved type bedpan flusher	3

* Movable furniture may be substituted.

TOILET—Continued

4-bed rooms with connecting toilet	5
Group I equipment:	
Blinds, window, or draperies	
Dresser, built-in, with drawers and sliding shelf	20
Locker, built-in	20
Nurse's call panel, audiovisual with corridor signal light, pillow speaker outlet, wall speaker, and voice pickup capable of providing for 2-way communication when push-button is substituted for pillow speaker as well as audiomonitoring	10
Lamp, reading-examining, extension bracket type	20
Pillow speaker for use with nurse's call system	20
Electric outlet, duplex (1 duplex outlet on each side of bed)	40
Fluorescent light fixture for general illumination over bed with quiet switch located below the fixture operated by a pull cord or pendant switch	20
Night light	10
Group II equipment:	
Bed, hospital, adjustable, variable height types	20
Bedrails—if beds are not equipped with rails	40
Chair, geriatric	20
Chair, straight	20
Lamp, floor	10
Mattress	20
Stand, bedside with drawers	20
Table, overbed	10
Toilet between 4-bed rooms	
Group I equipment:	
Electric outlet for shaver	3
Fixture, toilet paper, double	3
Grab bars	3
Lavatory	3
Mirror over lavatory, minimum size 16" wide x 25" high; tilted out at top for use by wheelchair patients	3
Shelf under mirror	3
Nurse's call system—emergency call station	3
Towel bar or hook	3
Water closet, with improved type bedpan flusher	3
MEDICATION ROOM	
Locate adjacent to or as part of nurse clerk station.	
Group I equipment:	
Cabinet, paper towel	1
Cabinet, wall, locked with inner locked narcotic compartment	1
Counter, 36" high with cabinet below and light above	1
Sink, medicine (may be included in counter)	1
Refrigerator, under counter type, without icemaker, approximately 1.5 cu. ft.	1
Group II equipment:	
Cart, medicine	1
Stool, revolving	1
NURSE-CLERK STATION	
Group I equipment:	
Blinds, window	
Bulletin board 26" long x 34" high	1
Clock outlet and electric clock	1
Counter, nurse control	1
Counter 30" high with cabinet and kneehole space under (desk typist may be substituted for this counter)	1
Nurse's call system—master station	1
Group II equipment:	
Chair, straight	1
Chair, swivel, without arms	1
Lamp, desk	1
Cart, clinical chart holder (40 chart capacity)	1
Typewriter, standard or electric	1

TREATMENT ROOM

Group I equipment:	
Blinds, window	
Bulletin board, 26" long x 24" high	1
Cabinet, paper towel	1
Clock outlet and electric clock	1
Counter 36" high with cabinet below	1
Nurse's call system:	
Calling station	1
Corridor signal light	1
Duty station	1
Shelf and mirror over sink	1
Sink with gooseneck spout, elbow or foot control	1
Group II equipment:	
Cart, instrument and dressing	
Cart, utility with adjustable shelves or compartments	1
Chair, straight	2
Can, waste, foot lever	1
Hamper, linen	1
Lamp, examining	1
Lamp, infrared, luminous, small	1
Scale, patient weighing, platform type	1
Sphygmometer	1
Steam pack unit, electric, portable, 4-pack capacity, complete with packs	1
Stool, revolving	1
Sterilizer, instrument, portable, approximately 16" x 6" x 4"	1
Stool, foot	1
Table, examination and treatment	1
Table, instrument, 16" x 20"	1
Table, work, 20" x 48"	1
Whirlpool carriage, portable	1
UTILITY ROOM—SOILED	
Group I equipment:	
Bedpan washer sanitizer	1
Blinds, window	1
Bulletin board 26" high x 24" long	1
Cabinet, paper towel	1
Cabinet, wall	1
Counter, 36" high, with sink with gooseneck spout and elbow control; cabinets below	1
Dispenser, soap	1
Nurse's calling system—duty station	1
Rack, drying, bedpan and urinal (provide only when bedpan washer is indicated)	1
Sink, service, flushing rim, with drainboard and foot control	1
Utensil washer—sterilizer	1
Group II equipment:	
Can, garbage	1
Can, waste, foot level	1
Hamper, linen	1
Ladder, step, pantry type	1
UTILITY ROOM—CLEAN	
Group I equipment:	
Blinds, window	
Bulletin board, 26" x 24"	1
Cabinet, paper towel	1
Counter, 36" high with cabinets below	1
Cabinet, wall, hung with sliding doors	1
Lavatory with built-in soap dispenser, gooseneck spout with wrist or foot control	1
Nurse's call system—duty station	1
Group II equipment:	
Can, waste, foot lever	1
Hot plate, electric, single, heavy duty	1
Sterilizer, instrument, approximately 6" x 5" x 15" long, counter type	1

* Not required if these facilities are available elsewhere.

BATH AND SHOWER ROOM

Bar, towel	
Bathtub	2
Bathtub, pedestal type, approximately 70" long x 30" deep x 31" high	1
Overhead hoist (patient lift), electric, over pedestal type bathtub	1
Cubicle curtain track, ceiling mounted	
Glass, obscure in windows	
Grab rails	
Hook strip	
Nurse's calling system—emergency station	2
Shower compartment, water temperature controlled from outside of compartment—for wheelchair patients	2
Sink, shampoo, with rinsing attachments ¹	1

EQUIPMENT STORAGE ROOM—NURSING

Group I equipment:	
Pegboard, heavy duty—40" above floor line: Approximately 5' x 4'	1
Shelving, adjustable, 18" deep—approximately 5'6" above floor line	
Group II equipment:	
Bed, electric, Circo type	1
Bed, exercise bar	5
Breathing apparatus, positive pressure	1
Commode, chair	3
Deodorizer	2
Drainage apparatus, gravity type	1
Frame, balkan	1
Foot support, bedclothes, adjustable	8
Respirator, portable	1
Pressure pads, alternating	10
Screen, bedside, 3 panel	5
Stand, irrigator	2
Stretchers, wheeled	2
Suction apparatus, portable	1
Walker, invalid with casters	4

EXERCISE AND HOBBY ROOM

Group I equipment:	
Blinds, window, or draperies	
Clock outlet and electric clock	1
Dispenser, paper towel	1
Lavatory with gooseneck spout and wrist control	1
Group II equipment:	
Bars, parallel, walking, folding, approximately 8 feet	1
Bicycle trainer ¹	1
Chair, straight with arms	5
Chair, straight, without arms	4
Frame, hooking	1
Frame, quilting	1
Mirror, posture training, approximately 70" x 25"	1
Pegboard mounting set	1
Staircase, exercise	1
Table, work 20" x 80" x 30" high	3

EXERCISE AND HOBBY STORAGE

Group I equipment:	
Cabinet, storage	
Shelving	

BARBER SHOP

Group I equipment:	
Barber case with shampoo bowl	1
Blinds, window, or draperies	
Clock outlet and electric clock	1
Hair vacuum unit, self-contained, electric	1
Telephone outlet	1
Group II equipment:	
Barber chair	1
Can, waste, sanitary	1
Cabinet, storage	1
Chair, waiting	3
Costumer	1
Table or rack, magazine	1

¹ Optional.

BEAUTY SHOP

Group I equipment:	
Blinds, window, or draperies	
Clock outlet and electric clock	1
Hair vacuum unit, self-contained, electric	1
Vanity back bar with shampoo bowl	1
Telephone outlet	
Group II equipment:	
Chair, waiting	3
Costumer	1
Beauty shop chair with headrest— all purpose	1
Cabinet, storage	1
Can, waste, sanitary	1
Dryer chair with post type, electric hair dryer or separate chair dryer	1

UNIT KITCHEN—TYPE I

To be provided when food service is available from centralized tray assembly unit used for tray makeup for other areas. Locate adjacent to recreation dining room.	
Group I equipment:	
Bulletin board 20" x 24"	1
Cabinet with 2-compartmented sink, swing spout combination faucet centered between sinks. Pre-rinse spray unit and 3/4 hp. garbage disposal unit in one compartment unit.	
Cabinets below	1
Cabinet, wall	
Counter, with 2 drawers and cabinet below	1
Clock outlet and electric clock	1
Dutch door or pass-through window—between unit kitchen and recreation-dining room.	
Electric outlets for mobile hot and cold food trucks	1
Icemaking-dispensing machine ²	1
Telephone outlet	1
Group II equipment:	
Can, waste, foot lever	
Hot plate, electric, 2-burner, heavy duty (may be built into counter)	1
Refrigerator, 12 cu. ft. with freezer compartment	1

UNIT KITCHEN—TYPE II

To be provided when existing facilities for tray service are not adequate. Locate adjacent to recreation dining room.	
Group I equipment:	
Bulletin board 26" x 24"	1
Cabinet, paper towel	1
Cabinet with 2-compartmented sink, swing spout faucet centered between sinks. Pre-rinse spray unit in 1 compartment. Cabinets below	1
Cabinet, wall	
Coffeemaker, 3-gal. capacity, fully automatic with hot water supply for tea	1
Electric outlets for mobile hot and cold food trucks	
Hood and fan, ventilating, over cooking area	1
Icemaking and dispensing machine ²	1
Lavatory with foot control	1
Telephone outlet	1
Soap dispenser	1
Group II equipment—For workload up to 40 patients:	
Bulk hot food truck, electrically heated	1
Cabinet, mobile, for dish storage	1
Cold food truck, electrically refrigerated	1
Combination griddle, hot plate, on mobile stand	1

² Not required if these facilities are available elsewhere.

UNIT KITCHEN—TYPE II—Continued

Group II equipment—Continued	
Combination tray, condiment and silverware unit, mobile, unheated	1
Refrigerator—with frozen food compartment, approximately 20 cu. ft.	1
Toaster, popup with mobile stand	1
Tray, slide, portable	1
Truck, tray, enclosed, 14-tray capacity, unheated	1
Truck, tray, electrically heated, 20-tray capacity	1
Warming cabinet, electrically heated, mobile for dish storage	1
Group II equipment—For workload of 41 to 100 patients:	
Bulk cold food truck, electrically refrigerated	1
Bulk hot food truck, electric	1
Coffeemaker, 3-gal. capacity, fully automatic, with hot water supply for tea	1
Dispenser, combination, electric, soup bowls, 2 stacks, serving dishes, 2 stacks	1
Dispenser, electric, cup and saucer	1
Dispenser, electric, plate, 9" diameter	1
Dispenser, tray	1
Silverware holder, compartmented	1
Toaster, popup, automatic, with portable stand	1
Tray, slide, portable	1
Griddle on mobile stand	1
Hot plate, heavy duty, 2-burner on mobile stand	1
Refrigerator with frozen food compartment approximately 25 cu. ft.	1
Truck, tray enclosed	5
Truck, tray collection	2
Warming cabinet, electrically heated, mobile	1

DISHWASHING AREA

For use with type II kitchen.	
Group I equipment:	
Counters, CRM, soiled and clean, adequate length to provide smooth workflow and air drying of dishes with pre-rinse sink with disposal unit. Utility connections as required	1
Dishwashing machine, single tank, with utility connections as required	1
Hood and fan, ventilating	1
Sink, soak, single compartment, approximately 18" x 18" x 14" deep	1
Pass window for clean dishes	1
Pass window for dirty dishes	1
Group II equipment: Rack, dish, glassware and silverware for dishwashing machine.	

KITCHEN TYPE III

To be provided when food preparation facilities are not available elsewhere and a complete kitchen is required.	
Equipment—For complete kitchen equipment requirements, including storage and dishwashing requirements, see—"Hospital Equipment Planning Guide," U.S. Department of Health, Education, and Welfare publication No. 930-D-4, pages 47 through 51, revised 1964 edition, the issue in effect at time of submission of proposal.	

FLOOR PANTRY OR NOURISHMENT KITCHEN

Not required if unit kitchen type I or II is provided. Located adjacent to recreation dining room	1
Group I equipment:	
Bulletin board 26" x 24"	1
Cabinet, paper towel	1
Cabinet, wall	
Counter, 36" high with sink with gooseneck spout, cabinet below	1
Dispenser, soap	1

RULES AND REGULATIONS

FLOOR PANTRY OR NOURISHMENT KITCHEN—Continued

Group I equipment—Continued	
Nurse's calling system—duty station	1
Ice-making—dispensing unit ⁵	1
Group II equipment:	
Can, waste, foot lever	
Hot plate, electric 2-burner, heavy duty (may be built into counter)	1
Refrigerator, 6 cu. ft. without ice-maker	1
Dining Room—Staff ⁵	1
Group I equipment:	
Blinds, window, or draperies	
Clock outlet and electric clock	1
Group II equipment:	
Chair, dining	8
Picture, wall	
Server, approximately 60" x 18"	1
Table, dining, approximately 30" x 48"	2
Dining Room—Patients—Locate adjacent to recreation room	1
Group I equipment:	
Blinds, window, or draperies	
Folding door—room divider, between dining room and recreation room	1
Drinking fountain	1
Group II equipment:	
Chair, dining with arms	36
Stand, folding, tray	2
Picture, wall	
Table, dining, 36" square, sturdy, high enough to accommodate wheelchair	9

RECREATION ROOM

Locate adjacent to dining room.	
Group I equipment:	
Blinds, window, or draperies	
Clock outlet and electrical clock	1
Planter	1
Group II equipment:	
Chair, arm	6
Chair, easy, posture with seat and back cushions	6
Bookcase	1
Desk, writing	2
Lamp, floor	5
Lamp, table	4
Picture, wall	
Rack, magazine	1
Radio, phonograph, combination	1
Table, coffee	2
Table, end	4
Table, lamp	4
Settee, 3 seat	1
Settee, sectional with right arm, left arm and center section	1
Television	1

RECREATION STORAGE ROOM

Group I equipment:	
Cabinet, storage	
Shelving	
Group II equipment:	
Chair, folding, metal	8
Table, card, folding, high enough to accommodate wheelchair	3

TELEPHONE ALCOVE

(Acoustically treated) designed to accommodate wheelchair patients	1
Group I equipment:	
Shelf, built-in	
Telephone, desk set	
Group II equipment: Chair, arm	1

CORRIDOR, PATIENT'S

Electric outlets for floor care machines	
Fire apparatus closet with hose, etc.	
Fire extinguisher	

CORRIDOR, PATIENT'S—Continued

Handrails—on both sides of corridor	
Drinking fountain—to accommodate wheelchairs	1
Night light	

GENERAL STORAGE ROOM⁵

For excess clothing and baggage and outdoor equipment.	
Rod, clothes	
Shelving	

CLEAN LINEN STORAGE ROOM

Group I equipment: Shelving	
Group II equipment:	
Ladder, step, pantry type	1
Truck, linen with hamper	2

STRETCHER AND WHEELCHAIR STORAGE

Lifter, patient, hydraulic, with accessories, including scale for weighing patients	
Wheelchair, folding	
Wheelchair, folding, with high back and leg rest attachments	

JANITOR'S CLOSET

Group I equipment:	
Cabinet, paper towel	1
Mop and broom rack	1
Sink, service, corner type, floor mounted, approximately 28" x 8" x 8"	1
Shelving	1
Group II equipment:	
Scrubbing and polishing machine	1
Truck, mop and water	1
Vacuum cleaner, portable	1
Gas storage closet ¹	1
Racks or fastenings for compressed gas cylinders	

PATIENT'S LAUNDRY⁷

Group I equipment:	
Cabinet, supply, built-in	
Laundry trays	1
Group II equipment:	
Board, ironing, domestic type	1
Chair, straight	2
Dryer, electric, domestic type	1
Iron, electric	1
Rack, clothes, wall mounted	1
Sewing machine, domestic type	1
Table, work, with casters	1
Washer, electric, domestic type	1

WOMEN'S LOCKER ROOM AND TOILET⁵

Group I equipment:	
Cabinet, paper towel	1
Dispenser, sanitary napkin	1
Dispenser, soap	1
Fixture, toilet paper	1
Lavatory	1
Lockers	
Mirror over lavatory	
Mirror, wall, full length	1
Shelf over lavatory	1
Water closet	1
Group II equipment:	
Can, waste, sanitary	1
Chair, straight	3
Receptacle, waste, paper towel	1

MEN'S LOCKER ROOM AND TOILET (EMPLOYEES)⁵

Group I equipment:	
Cabinet, paper towel	1
Dispenser, soap	1
Fixture, toilet paper	1
Lavatory	1
Lockers	
Mirror over lavatory	
Shelf over lavatory	1
Water closet	1
Electric outlet for shaver	1
Urinals	1

MEN'S LOCKER ROOM AND TOILET (EMPLOYEE'S)⁵—Continued

Group II equipment:	
Chair, straight	2
Receptacle, waste, paper towel	1

WOMEN'S LOUNGE (EMPLOYEES)⁵

Group I equipment:	
Blinds, window, or draperies	
Clock outlet and electric clock	1
Nurse's call system—duty station	1
Group II equipment:	
Chair, easy	1
Chair, straight, with or without arms	2
Settee, 3-seat	1
Table, round or square, approximately 30" diameter x 30" high	1
Table, end	2
Wastebasket	1

MEN'S LOUNGE (EMPLOYEES)⁵

Group I equipment:	
Blinds, window, or draperies	
Clock outlet and electric clock	1
Nurse's call system—duty station	1
Group II equipment:	
Chair, easy	2
Chair, straight, with or without arms	1
Table, occasional, small	1
Table, round or square, approximately 30" diameter x 30" high	1
Wastebasket	1

BOILER ROOM AND MAINTENANCE AREA⁵

Boiler room—The heating equipment, steam system, boilers, etc., shall be determined separately for each project. Boiler plant equipment requirements are dependent on the size, design, and geographical location of the project and the utilization of existing services from adjacent facilities.

The equipment and controls shall be furnished and installed to meet all requirements of local and State codes and regulations, and the regulations of the National Board of Fire Underwriters and standards set forth in the accompanying General Standards for Construction and Equipment.

MAINTENANCE AREA⁵

Group I equipment: Outlet, electric, heavy duty	1
Group II equipment:	
Bench work	
Cabinet, storage	
Extinguisher, fire, 10 lb., CO ₂	1
Dolly	
Ladder, mechanics, extension, 12 feet	1
Ladder, step, 8 feet	1
Vise, woodworkers	1

TRASH COLLECTION ROOM

Group I equipment:	
Combination hot and cold water hose connection	1
Floor drain	1
Steam hose connection ¹	1
Group II equipment:	
Can, garbage, 20 gallon	3

(72 Stat. 1114; 38 U.S.C. 210)

These VA Regulations are effective date of approval.

Approved: December 9, 1966.

By direction of the Administrator.

CYRIL F. BRICKFIELD,
Deputy Administrator.

[F.R. Doc. 66-13452; Filed, Dec. 15, 1966; 8:45 a.m.]

⁵ Not required if these facilities are available elsewhere.

¹ Desirable but not mandatory.
⁷ Optional.

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 16424]

PART 74—EXPERIMENTAL, AUXILIARY AND SPECIAL BROADCAST SERVICES

Microwave Relays Licensed to Translator Operators; Correction

The Commission's report and order, FCC 66-1102, in the above-entitled proceeding, adopted November 30, 1966, published in the FEDERAL REGISTER on December 7, 1966, 31 F.R. 15313, is corrected to change instruction number 8 of the amendments to Part 74 to read as set forth below, and the designation for the paragraph added to § 74.682 is changed from (e) to (f):

8. In § 74.682 add the following paragraph (f):

Released: December 13, 1966.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-13515; Filed, Dec. 15, 1966;
8:48 a.m.]

[Docket No. 13847; FCC 66-1084]

PUBLIC SAFETY, INDUSTRIAL, LAND TRANSPORTATION, AND CITIZENS RADIO SERVICES

Miscellaneous Amendments; Correction

In the matter of amendment of Parts 89, 91, 93, and 95 (formerly 10, 11, 16, and 19) of the Commission's rules to reduce the separation between the assignable frequencies in the 450-470 Mc/s band; amendment of Parts 2, 87 (formerly 9), 89, 91, 93, 95, and 21 of the Commission's rules to reallocate frequencies in the 460-470 Mc/s band and to make additional frequencies available for assignment in the 450-470 Mc/s band; and amendment of Parts 89, 91, and 93 of the Commission's rules to prohibit the use of frequencies in the 450-470 Mc/s band by fixed stations other than control stations used for the secondary control of mobile relay stations; Docket No. 13847.

1. Paragraph 7 of the first report and order in this proceeding released December 2, 1966 (FCC 66-1084), and published in the FEDERAL REGISTER on December 10, 1966, 31 F.R. 15577, should read as follows:

7. We need now set the effective dates by which these standards are to be met. To insure availability of equipment, the new standards for bandwidth, tolerance, and rolloff filter will not be required for new systems until November 1, 1967. Ap-

plications for new systems, and for additional base and mobile facilities in existing systems to be operated on a frequency other than that of the existing system, filed on or after November 1, 1967, will be required to meet the new technical standards. All systems, existing or new, will be required to be operated with deviation reduced to ± 5 kc/s by June 1, 1967. However, all systems authorized prior to November 1, 1967, will have until November 1, 1971, to conform to all new technical standards.¹ These technical standards and their effective dates will apply to existing Class A stations in the Citizens Radio Service, but not to Class B stations in that Service. The changes in the technical standards herein adopted will necessitate withdrawal of type acceptance as of November 1, 1971, for a number of transmitter types now listed in the Commission's Radio Equipment List, Part C. A list of transmitter types so affected will be issued in the near future.

2. In the amendments following the first report and order, the table in § 91.102(a) should read:

§ 91.102 Frequency stability.

(a) * * *

Frequency range	Transmitter (input) power			
	Fixed and base stations		Mobile stations	
	Over 300 watts	300 watts or less	Over 3 watts	3 watts or less
Mc/s	Percent	Percent	Percent	Percent
Below 25 ¹	0.005	0.01	0.01	0.02
25 to 50	.002	.002	.002	.005
50 to 450	.0005	.005	.0005	.005
450 to 470	.00025	.00025	.0005	.0005
470 to 950	.0005	.0005	.0005	.005
Above 950	(4)	(4)	(4)	(4)

¹ Industrial Radiolocation Service stations operating in the frequency bands 70-90 kc/s and 110-130 kc/s will be required to maintain the carrier frequency of each authorized transmitter within .01 percent of the assigned frequency. Industrial Radiolocation Service stations operating in frequency bands above 130 kc/s must comply with the tolerance requirements indicated in the column for fixed and base stations in this table.

² Stations authorized for operation on or before Dec. 1, 1961, in the frequency band 73.0-74.6 Mc/s may operate with a frequency tolerance of 0.005 percent.

³ Effective Nov. 1, 1967, Stations authorized before Nov. 1, 1967, may continue to operate with a frequency tolerance of 0.0005 percent, or 0.005 percent for mobile stations with 3 watts or less power, until Nov. 1, 1971.

⁴ For microwave fixed equipment, see § 91.111. Radar stations in the Industrial Radiolocation Service using pulse modulation shall meet the following frequency tolerance: The frequency at which maximum emission occurs shall be within the authorized frequency band and shall not be closer than 1.5/T Mc/s to the upper and lower limits of the authorized frequency band where T is the pulse duration in microseconds. For other equipment, tolerances will be specified in the station authorization.

⁵ The foregoing time table pertains to the technical standards governing equipment in the 450 to 470 Mc/s band. If efficient maximum utilization of that portion of the spectrum should necessitate that existing licensees conform to a new reallocation of frequencies, the action taken herein should not be regarded as precluding a future requirement that licensees conform to the new allocation at a date earlier than that indicated for the technical standards.

Released: December 13, 1966.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-13516; Filed, Dec. 15, 1966;
8:48 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

[S.O. 948; Amdt. 6]

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

PART 95—CAR SERVICE

Chicago, Rock Island and Pacific Railroad Co. Authorized to Operate Over Trackage of Union Pacific Railroad

DECEMBER 13, 1966.

At a session of the Interstate Commerce Commission, Railroad Safety and Service Board, held in Washington, D.C., on the 7th day of December A.D. 1966.

Upon further consideration of Service Order No. 948 (29 F.R. 564, 5757, 18426; 30 F.R. 8269, 16005, 31 F.R. 8872) and good cause appearing therefor:

It is ordered, That:

Section 95.948 Service Order No. 948 (The Chicago, Rock Island and Pacific Railroad Co. authorized to operate over trackage of Union Pacific Railroad) be, and it is hereby amended by substituting the following paragraph (d) for paragraph (d) thereof:

(d) *Expiration date.* This order shall expire at 11:59 p.m., June 30, 1967, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., December 31, 1966.

(Secs. 1, 12, 15, 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, 17(2). Interprets or applies secs. 1(10-17), 15(4), and 17(2), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), and 17(2))

It is further ordered, That copies of this order and direction shall be served upon the State Corporation Commission of Kansas and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Safety and Service Board.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-13507; Filed, Dec. 15, 1966;
8:47 a.m.]

[S.O. 949; Amdt. 6]

PART 95—CAR SERVICE**Atchison, Topeka and Santa Fe Railway Co. Authorized to Operate Over Trackage of Union Pacific Railroad**

DECEMBER 13, 1966.

At a session of the Interstate Commerce Commission, Railroad Safety and Service Board, held in Washington, D.C., on the 7th day of December A.D. 1966.

Upon further consideration of Service Order No. 949 (29 F.R. 564, 5757, 18427; 30 F.R. 8269, 16006; 31 F.R. 8872) and good cause appearing therefor:

It is ordered, That:

Section 95.949 *Service Order No. 949* (The Atchison, Topeka and Santa Fe Railway Co. authorized to operate over trackage of Union Pacific Railroad) be, and it is hereby amended by substituting the following paragraph (d) for paragraph (d) thereof:

(d) *Expiration date.* This order shall expire at 11:59 p.m., June 30, 1967, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., December 31, 1966.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets or applies secs. 1 (10-17), 15(4), and 17(2), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), and 17(2).)

It is further ordered, That copies of this order and direction shall be served upon the State Corporation Commission of Kansas and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement, and that notice of this order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Safety and Service Board.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-13506; Filed, Dec. 15, 1966; 8:47 a.m.]

[S.O. 950; Amdt. 5]

PART 95—CAR SERVICE**Chicago, Burlington & Quincy Railroad Co. Authorized to Operate Over Trackage of Union Pacific Railroad**

DECEMBER 13, 1966.

At a session of the Interstate Commerce Commission, Railroad Safety and Service Board, held in Washington, D.C., on the 7th day of December A.D. 1966.

Upon further consideration of Service Order No. 950 (29 F.R. 565, 5757, 18427; 30 F.R. 8163, 16006) and good cause appearing therefor:

It is ordered, That:

Section 95.950 *Service Order No. 950* (The Chicago, Burlington & Quincy Railroad authorized to operate over trackage of Union Pacific Railroad) be, and it is hereby amended by substituting the following paragraph (d) for paragraph (d) thereof:

(d) *Expiration date.* This order shall expire at 11:59 p.m., June 30, 1967, unless otherwise modified, changed, or suspended by the order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., December 31, 1966.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets or applies secs. 1(10-17), 15(4), and 17(2), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), and 17(2).)

It is further ordered, That copies of this order and direction shall be served upon the State Corporation Commission of Kansas and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Safety and Service Board.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-13509; Filed, Dec. 15, 1966; 8:48 a.m.]

[S.O. 966; Amdt. 2]

PART 95—CAR SERVICE**Northern Pacific Railway Co. Authorized to Operate Over Trackage of Union Pacific Railroad**

DECEMBER 13, 1966.

At a session of the Interstate Commerce Commission, Railroad Safety and Service Board, held in Washington, D.C., on the 7th day of December A.D. 1966.

Upon further consideration of Service Order No. 966 (30 F.R. 12294; 31 F.R. 4894) and good cause appearing therefor:

It is ordered, That:

Section 95.966 *Service Order No. 966* (Northern Pacific Railway Co. authorized to operate over trackage of Union Pacific Railroad) be, and it is hereby amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.* This order shall expire at 11:59 p.m., June 30, 1967, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., December 31, 1966.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2).)

(2). Interprets or applies secs. 1(10-17), 15(4), and 17(2), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), and 17(2).)

It is further ordered, That copies of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Safety and Service Board.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-13510; Filed, Dec. 15, 1966; 8:48 a.m.]

[S.O. 984; Amdt. 1]

PART 95—CAR SERVICE**Return of Covered Hopper Cars**

DECEMBER 13, 1966.

At a session of the Interstate Commerce Commission, Railroad Safety and Service Board, held in Washington, D.C., on the 6th day of December A.D. 1966.

Upon further consideration of Service Order No. 984 (31 F.R. 6061) and good cause appearing therefor:

It is ordered, That:

Section 95.984, *Service Order No. 984* (Regulations for return of covered hopper cars) be, and it is hereby amended by substituting the following paragraph (f) for paragraph (f) thereof:

(f) *Expiration date.* This order shall expire at 11:59 p.m., June 30, 1967, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., December 31, 1966.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets or applies secs. 1(10-17), 15(4), and 17(2), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), and 17(2).)

It is further ordered, That copies of this amendment to Service Order No. 984 shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Safety and Service Board.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-13508; Filed, Dec. 15, 1966; 8:47 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

SUBCHAPTER C—THE NATIONAL WILDLIFE REFUGE SYSTEM

PART 33—SPORT FISHING

Ankeny National Wildlife Refuge, Oreg.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

OREGON

ANKENY NATIONAL WILDLIFE REFUGE

Sport fishing on the Ankeny National Wildlife Refuge, Marion County, Oreg., is permitted only in the Sidney Irrigation Canal as designated by signs as open to fishing. This open area, comprising 1.5 miles of stream, is delineated on maps available at refuge headquarters and from the Office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 730 Northeast Pacific Street, Portland, Oreg. 97208. Sport fishing shall be in accordance with all applicable State regulations subject to the following special conditions:

(1) The open season for sport fishing on the refuge extends from April 22 through October 1, 1967 inclusive.

(2) The use of boats is not permitted.

(3) During the open season fishing shall be permitted each day from 1 hour before sunrise to 1 hour after sunset. The use of artificial lights will not be permitted.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Part 33, of the Code of Federal Regulations, and are effective through October 1, 1967.

RICHARD S. RODGERS,
Refuge Manager, Ankeny National Wildlife Refuge, Marion County, Oreg.

DECEMBER 6, 1966.

[F.R. Doc. 66-13496; Filed, Dec. 15, 1966; 8:46 a.m.]

PART 33—SPORT FISHING

William L. Finley National Wildlife Refuge, Oreg.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

OREGON

WILLIAM L. FINLEY NATIONAL WILDLIFE REFUGE

Sport fishing on the William L. Finley National Wildlife Refuge, Benton,

County, Oreg., is permitted only on Muddy Creek designated by signs as open to fishing. This open area, comprising 4 miles of stream, is delineated on maps available at refuge headquarters and from the Office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 730 Northeast Pacific Street, Portland, Oreg. 97208. Sport fishing shall be in accordance with all applicable State regulations subject to the following special conditions:

(1) The open season for sport fishing on the refuge extends from April 22 through October 1, 1967, inclusive.

(2) The use of boats is not permitted.

(3) During the open season fishing shall be permitted each day from 1 hour before sunrise to 1 hour after sunset. The use of artificial lights will not be permitted.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Part 33, of the Code of Federal Regulations, and are effective through October 1, 1967.

RICHARD S. RODGERS,
Refuge Manager, William L. Finley National Wildlife Refuge, Benton County, Oreg.

DECEMBER 6, 1966.

[F.R. Doc. 66-13497; Filed, Dec. 15, 1966; 8:46 a.m.]

PART 33—SPORT FISHING

Bear River Migratory Bird Refuge, Utah

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

UTAH

BEAR RIVER MIGRATORY BIRD REFUGE

Sport fishing on the Bear River Migratory Bird Refuge, Brigham City, Utah, is permitted only on the areas designated by signs as open to fishing. These open areas, comprising 10 acres, are delineated on maps available at refuge headquarters and from the office of the Regional Director, Post Office Box 1306, Albuquerque, N. Mex. 87103. Sport fishing shall be in accordance with all applicable State regulations subject to the following special conditions:

(1) The open season for sport fishing on the refuge extends from January 1 through December 31, 1967, inclusive.

(2) The use of boats is prohibited below the river control gates at refuge headquarters.

(3) Fishermen are required to register at the refuge office upon entering the refuge.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50,

Part 33, and are effective through December 31, 1967.

LLOYD F. GUNTHER,
Refuge Manager, Bear River Migratory Bird Refuge, Brigham City, Utah.

[F.R. Doc. 66-13415; Filed, Dec. 15, 1966; 8:45 a.m.]

SUBCHAPTER F—FEDERAL AID TO STATES IN FISH AND WILDLIFE RESTORATION

PART 80—RESTORATION OF GAME BIRDS, FISH, AND MAMMALS

On page 12442 of the FEDERAL REGISTER of September 20, 1966, there was published a notice of proposed rule making revising Part 80, of Title 50, Code of Federal Regulations.

Interested persons were given 30 days in which to submit written comments, suggestions, or objections with respect to the proposed revisions. In addition to the notice in the FEDERAL REGISTER, every State Fish and Game Department was notified by letter.

Several changes were requested, and one has been made. Section 80.30 *Federal aid payments*, has been rewritten to permit payments to be made to any State official or office designated by the State Fish and Game Department authorized by State law to receive public funds of the State. This is in accordance with the authorizing legislation.

It was not possible to grant requests that § 80.34, *Convict labor*, be set aside because this is a requirement of long standing in contracts involving the employment of labor in the States.

There were other comments which upon analysis were found not to be in conflict with the proposed regulations.

Therefore, all comments having been fully considered and no other changes being deemed necessary the revised part as so proposed, with the above-stated exception, is hereby adopted and is to read as set forth below. The regulations are effective upon publication in the FEDERAL REGISTER.

JOHN S. GOTTSCHALK,
Director.

DECEMBER 12, 1966.

Sec.	Definitions.
80.1	Apportionment and certification.
80.2	Notice of desire to participate.
80.3	Period of availability of funds.
80.4	Diversion of funds.
80.5	General information for the Secretary.
80.6	Hunting and fishing license information.
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80.14	Officials not to benefit.
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Sec.	
80.19	Land control.
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80.21	Contracts.
80.22	Safety and accident prevention.
80.23	Statements and payrolls.
80.24	Prosecution of work.
80.25	Personnel.
80.26	Maintenance of completed projects.
80.27	Credits for sale or nonproject use of property.
80.28	Inspection.
80.29	Civil rights.
80.30	Federal Aid payments.
80.31	Form of vouchers.
80.32	Records and reporting.
80.33	Records retention period.
80.34	Convict labor.

AUTHORITY: The provisions of this Part 80 issued under sec. 10, 50 Stat. 917, as amended, sec. 10, 64 Stat. 430, as amended; 16 U.S.C. 6691, 7771.

§ 80.1 Definitions.

As used in this part, terms shall have the meanings ascribed in this section.

(a) *Federal Aid Act(s)*. (1) The Act of Congress, approved September 2, 1937, entitled "An Act to provide that the United States shall aid the States in wildlife restoration projects, and for other purposes," (50 Stat. 917, as amended; 16 U.S.C., sec. 669-6691), commonly referred to as the Pittman-Robertson Act; and (2) the Act of Congress, approved August 9, 1950, entitled "An Act to provide that the United States shall aid the States in fish restoration and management projects, and for other purposes," (64 Stat. 430, as amended; 16 U.S.C., sec. 777-777k), commonly referred to as the Dingell-Johnson Act.

(b) *State*. Any State of the United States, the territorial areas of Guam and the Virgin Islands, and the Commonwealth of Puerto Rico.

(c) *State Fish and Game Department*. Any department or division, or commission, or official of a State empowered under its laws to exercise the functions ordinarily exercised by a State Fish and Game Department, the Secretary of Agriculture of Puerto Rico, or the Governor of Guam or the Virgin Islands.

(d) *Fish and wildlife*. (1) The term "fish" is limited to aquatic, gill breathing, vertebrate animals bearing paired fins; and (2) the term "wildlife" is limited to wild birds and wild mammals.

(e) *Project*. A sound and substantial undertaking with the general objective of restoring or managing fish and wildlife populations now and for the future for the preservation and improvement of these resources. A project may involve land acquisition, development, research, coordination, management or maintenance. These activities are defined as follows:

(1) *Land acquisition*. The acquisition of lands, waters, or interests therein, by purchase, condemnation, lease or gift.

(2) *Development*. Improving areas of land or water through the construction of works and facilities, improvement of soil and water conditions, establishing or controlling vegetation and animal populations and including operation and protection of the areas.

(3) *Research*. Studies to provide information on which to base efficient and effective administration, regulation, restoration and enhancement of fish and wildlife.

(4) *Management*. For purposes of the limitation on management of wildlife areas and resources, the term includes measures and facilities for the harvest and control of wild birds and mammals.

(5) *Maintenance*. Repair and upkeep of capital improvements acquired or constructed under the Federal Aid Acts. A capital improvement is any successfully established improvement having an expected useful life in excess of 5 years. For the purpose of qualifying for maintenance, a project is completed when the lands have been acquired, or capital improvements have been finished.

(6) *Coordination*. The selection, planning, direction, supervision, and coordination of projects within a State's Federal Aid program including the coordination of this program with other related activities of the fish and game department.

(f) *Project segment*. An essential part or division of a project, usually separated as a period of time, occasionally as a unit of work.

§ 80.2 Apportionment and certification.

The Secretary shall apportion funds in the manner prescribed in the Acts, as soon as possible after receiving notification of the amounts which have become available for the purposes of the Acts. He shall promptly certify to the Secretary of the Treasury and to each State Fish and Game Department, the respective sums which he has deducted for administering and executing the Acts and the respective sums which he has apportioned to each State for the ensuing fiscal year.

§ 80.3 Notice of desire to participate.

Any State Fish and Game Department desiring to avail itself of the benefits of the Acts, shall notify the Secretary within 60 days after it has received from him a certificate of apportionment of funds available to the State.

§ 80.4 Period of availability of funds.

Funds are available to a State for expenditure or obligation during the fiscal year for which they are apportioned and until the close of the succeeding fiscal year. For the purpose of this section, obligation of apportioned funds occurs when a program agreement or amendment thereto is signed by the Secretary or his authorized representative.

§ 80.5 Diversion of funds.

A diversion of funds occurs when a State Fish and Game Department, through legislative action or otherwise, loses control over the expenditure of any portion of its hunting license or sport fishing license revenues or expends such revenues for any purpose other than the administration of the State Fish and Game Department. When a diversion of funds occurs, a State thereby becomes ineligible to receive Federal Aid funds

under the pertinent Act(s) from the date the diversion occurs until:

(a) Action is taken to return the administration of hunting and sport fishing license fees to the State Fish and Game Department; and

(b) Hunting and sport fishing license fees used for purposes other than the administration of the State Fish and Game Department are replaced: *Provided, however*, That, where any projects were approved in compliance with the terms of the pertinent Act(s) prior to diversion, and Federal Aid funds were obligated to carry out such projects, such funds shall remain available therefor until expended, without regard for the intervening period of the State's ineligibility under the Federal Aid Act(s).

§ 80.6 General information for the Secretary.

Before any Federal funds may be obligated for any project to be undertaken in a State, there shall be furnished to the Secretary upon his request, information regarding the laws affecting fish or wildlife conservation and the authority of the State Fish and Game Department and of local officials with respect to the establishment and maintenance of projects; and the existing provisions of the State constitution or laws relating to revenues for the protection, restoration and management of fish or wildlife.

(a) *Document signature*. The Secretary of State of each State or any authorized official of the State shall certify as to the duly appointed official(s) authorized in accordance with State law to commit the State to participation under the provisions of the Acts and to sign Federal Aid project documents. The Secretary shall be advised promptly of any change made in such authorizations to sign Federal Aid documents.

(b) *Program information*. The Secretary may, from time to time, request and the State Fish and Game Department shall furnish information relating to the administration and maintenance of any project established under the Acts.

(c) *Planning - Programing - Budgeting System*. To promote the most efficient use of the financial resources of the Federal Government, all Federal funds are budgeted according to a Planning-Programing-Budgeting System. In order that Federal funds for financing projects under the Federal Aid Acts may be budgeted under this system, States must furnish such plans and programs as the Secretary may require for this purpose.

§ 80.7 Hunting and fishing license information.

Certified information concerning the number of paid hunting-license holders and the number of persons holding paid licenses to fish for sport or recreation in the State in the preceding fiscal year shall be furnished the Secretary by the Fish and Game Department of each State on or before December 15 of each year in form specified by the Secretary.

§ 80.8 Activities prohibited.

Neither law enforcement activities nor public relations activities, which are not associated with an approved project, may be financed under the programs.

§ 80.9 Uses other than for fish and wildlife.

With respect to projects which are designed to include uses other than for fish or wildlife, reimbursement of costs from funds under the Federal Aid Acts shall be limited to the extent of the benefits to fish and wildlife resulting from such projects. Participation in maintenance of completed projects shall be similarly limited. Also, the costs of maintenance shall be appropriately shared according to the use of the area and facilities; Federal Aid funds shall not be applied to maintenance required by use other than for approved project purposes.

§ 80.10 Minimum Federal participation.

A minimum Federal Aid participation of 10 percent in the cost of each project is required as a condition of approval.

§ 80.11 Project statement.

A project statement shall be submitted for each proposed project which shall contain such fundamental information as the Secretary may require, in order that he may determine if a project meets the requirement of being substantial in character and design in accordance with standards set forth in the Federal Aid in Fish and Wildlife Restoration Manual.

§ 80.12 Plans, specifications and estimates.

(a) Engineering plans, specifications and estimates shall be submitted for major construction activities.

(b) Plans in job description form shall be submitted for each logical and effective unit of research activity.

(c) Annual work plans shall be submitted for each development project.

§ 80.13 Annual financial plan.

A budget or spending plan listing estimated expenditures by projects over a specified period of 12 months, for the work to be performed in a State under one of the Federal Aid Acts, may be submitted when all the project segments have the same annual beginning and completion dates.

§ 80.14 Agreement.

After the Secretary shall have approved project statements and the required plans, specifications and estimates, the mutual obligations to be undertaken by the cooperating agencies shall be evidenced by an agreement to be executed between the State Fish and Game Department and the Secretary. An agreement may cover one annual segment of a project; or, if an annual financial plan is employed, the agreement may cover and include all of the projects and activities listed on the annual financial plan.

§ 80.15 Officials not to benefit.

No member of or delegate to Congress, or resident commissioner, shall be admitted to any share or any part of any agreement, made under the Federal Aid Acts, or to any benefit that may arise therefrom.

§ 80.16 Equal employment opportunity.

Each program agreement shall contain the equal employment opportunity provisions of Executive Order 11246 (30 F.R. 12319), and as it may be amended.

§ 80.17 Submission of documents.

Papers and documents required by the Acts or by the regulations in this part shall be deemed submitted to the Secretary from the date of receipt by the Director of the Bureau of Sport Fisheries and Wildlife, or by the appropriate Regional Director of the Bureau.

§ 80.18 Divergent opinions over project merits.

Any difference of opinion about the substantiality of a proposed project, nature of development required, or appraised value of land to be acquired, are considered by qualified representatives of the Bureau of Sport Fisheries and Wildlife and the State. Final determination in the event of continued disagreement rests with the Secretary.

§ 80.19 Land control.

The State Fish and Game Department must control lands or waters on which improvements are made. Control may be exercised through fee title, lease, easement or agreement. Control must be adequate for protection, maintenance, and use of the improvement throughout its useful life.

§ 80.20 Samples of materials to be submitted.

Whenever requested, suitable samples of materials to be used in construction work shall be submitted to the Secretary by or on behalf of the State Fish and Game Department to be tested for suitability and conformity with standard specifications.

§ 80.21 Contracts.

Contracts shall be solicited and awarded according to the laws and regulations of the State.

§ 80.22 Safety and accident prevention.

In the performance of each project, the State shall comply with all applicable Federal, State, and local laws governing safety, health, and sanitation. The State shall be responsible that all safeguards, safety devices, and protective equipment are provided and will take any other needed actions reasonably necessary to protect the life and health of employees on the job and the safety of the public and to protect property in connection with the performance of the work.

§ 80.23 Statements and payrolls.

The regulations of the Secretary of Labor applicable to contractors and subcontractors (29 CFR Part 3), made pursuant to the Copeland Act, as amended

(40 U.S.C. 276c), and to aid in the enforcement of the Anti-Kickback Act (18 U.S.C. 874) are made a part of this section by reference. The State Fish and Game Department will comply with the regulations in this part and any amendments or modifications thereof and the State Prime Contractor will be responsible for the submission of statements required of subcontractors thereunder. The foregoing shall apply except as the Secretary of Labor may specifically provide for reasonable limitation, variations, tolerances, and exemptions.

§ 80.24 Prosecution of work.

(a) The State Fish and Game Department shall carry all approved projects through to satisfactory completion with reasonable promptness. Projects with activities extending over a period of years may be financed from a number of succeeding apportionments as appropriate to the schedule.

(b) Research work shall be continuously coordinated with other studies conducted by the State and other agencies in order to avoid unnecessary duplication.

(c) all work shall be performed in accordance with applicable State laws.

(d) Appropriate and adequate means shall be employed to insure economy and efficiency in the completion of the project.

§ 80.25 Personnel.

The State Fish and Game Department shall employ adequate and competent personnel to initiate and carry Federal Aid projects through to satisfactory completion.

§ 80.26 Maintenance of completed projects.

The State Fish and Game Department shall exercise all reasonable means to insure permanent and proper management and maintenance of each completed acquisition or development of lands or waters.

§ 80.27 Credits for sale or nonproject use of property.

(a) When real property or equipment acquired under the Federal Aid Acts is sold, a credit must be made to the balance of Federal funds available for use by the State Fish and Game Department under the Act which funded the acquisition. The amount of the credit, which shall in no case exceed the amount of Federal funds originally invested in the acquisition, shall be that percentage of the sale price equal to the percent of Federal participation in said acquisition.

(b) Lands and waters acquired or developed under the Federal Aid Acts must be used for approved purposes. Concurrent use for other activities is permissible, provided it does not interfere with accomplishment of approved project objectives. When continuing use of such property for other purposes interferes with accomplishment of approved project objectives, a similar credit proportionate to the interference must be made to the balance of Federal Aid funds available to the State Fish and Game Department under the Act which funded

the acquisition or development of the property.

(c) Equipment and capital improvements acquired or constructed under the Federal Aid Acts may be used for any approvable activity under the Act which provided the Federal Aid funds for their purchase or development. When otherwise used, a similar credit, proportionate to the variance of use, must be made to the balance of Federal Aid funds available to the State Fish and Game Department under the Act which financed the acquisition or construction of the property.

§ 80.23 Inspection.

Supervision of each project by the State Fish and Game Department shall include adequate and continuous inspection. The project will be subject at all times to Federal inspection.

§ 80.29 Civil rights.

Approval of each agreement shall be conditioned upon the acceptance by the United States of an Assurance executed in writing by the properly authorized representative of the contracting State, agency or political division of the contracting State, supported by proper certification, guaranteeing that the program will be conducted in accordance with Title VI of the Civil Rights Act of 1964, and with the rules and regulations promulgated thereunder by the Secretary and published as 43 CFR Part 17 (Filed 12-3-64) to that end.

§ 80.30 Federal Aid payments.

Payments under the Federal Aid Acts, including such preliminary costs and ex-

penses as may be incurred in and about such projects, shall not be made unless the project statement, such plans, specifications and estimates as are required by the Secretary, and all other documents that may be necessary or required in the administration of these Acts, shall have first been submitted to and approved by the Secretary. Payments shall be made only by way of reimbursement for expenditures by the State Fish and Game Departments. Payments shall be made only to the State office or official designated by the State Fish and Game Department and authorized under the laws of the State to receive public funds of the State.

(a) Federal Aid payments shall not exceed 75 percent of the cost of a program or project or the amount specified in the agreement, whichever is less: *Provided*, That Federal Aid payments to the territorial areas of Guam, the Virgin Islands and the Commonwealth of Puerto Rico shall not exceed the amount specified in the agreement and in no event shall they be required to pay an amount which will exceed 25 percent of the cost of any project.

(b) Federal Aid payments on projects terminated prior to completion shall be limited to the cost of benefits produced, provided the work accomplished is substantial in character and design.

(c) Payments for acquired real property shall not exceed 75 percent of the fair and reasonable value of the property as approved by the Secretary.

(d) Overhead and preliminary costs which are clearly tied to an approved project may be reimbursed provided the claims are supported by accurate records.

§ 80.31 Form of vouchers.

Vouchers on forms provided by the Secretary and certified as therein prescribed, showing amounts expended and the amount of Federal Aid funds claimed to be due on account thereof, shall be submitted to the Secretary by the State Fish and Game Department.

§ 80.32 Records and reporting.

Reports shall be furnished as requested by the Secretary. Cost records shall be maintained separately for research, acquisition, development, and coordination. The accounts and records maintained by the State, together with all supporting documents, shall be open at all times to the inspection of authorized representatives of the United States, and copies thereof shall be furnished when requested.

§ 80.33 Records retention period.

The records, accounts, and supporting documents required to be maintained under the regulations in this part shall be retained by the State Fish and Game Department until such time as the Secretary shall have made a final audit of the accounts and notified such department of the acceptability of claims and accomplishments, and for a period of 3 years following the receipt of such notification.

§ 80.34 Convict labor.

The State shall not employ any persons undergoing sentence of imprisonment at hard labor to perform work on projects approved under the Federal Aid Acts.

[F.R. Doc. 66-13499; Filed, Dec. 15, 1966; 8:47 a.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Parts 46, 48, 49]

SEMIMONTHLY DEPOSITS OF CERTAIN EXCISE TAXES

Notice of Proposed Rule Making

Notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, or his delegate. Prior to the final adoption of such regulations, consideration will be given to any comments or suggestions pertaining thereto which are submitted in writing, in duplicate, to the Commissioner of Internal Revenue, Attention: CC:LR:T, Washington, D.C. 20224, and which are received prior to January 16, 1967. The proposed regulations are to be issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).

(SEAL) SHELDON S. COHEN,
Commissioner of Internal Revenue.

DECEMBER 14, 1966.

The following regulations, which relate to semimonthly deposits in Government depositories, of the excise taxes imposed by Chapters 31, 32, 33, 34, and 37 of the Internal Revenue Code of 1954, as amended, which are reportable by return, are hereby prescribed pursuant to the provisions of Subtitle F of the Code in addition to the regulations heretofore prescribed pursuant to Subtitle F. Further regulations, to conform to the changes made by various public laws, such as the Excise Tax Reduction Act of 1965 (79 Stat. 136) and the Tax Adjustment Act of 1966 (80 Stat. 38), will be forthcoming at a later date.

MISCELLANEOUS EXCISE TAXES PAYABLE BY RETURN

PARAGRAPH 1. Section 46.6302(c)-1 is amended by revising paragraphs (a) (1) and (b) and by adding a new paragraph (c). These revised and added provisions read as follows:

§ 46.6302(c)-1 Use of Government depositories.

(a) *Requirement*—(1) *In general.* (i) Except as provided in subdivision (ii) of this subparagraph, if for any calendar month, other than the last month of a calendar quarter, any person required to file a quarterly excise tax return on Form 720 has a total liability of more than \$100 for all excise taxes reportable on such form, the amount of such liability for taxes (to which this part relates) shall be deposited by him with a Fed-

eral Reserve bank on or before the last day of the month following such month. The provisions of this subdivision are not applicable with respect to taxes for the month in which the taxpayer receives notice from the district director that returns are required under paragraph (b) of § 46.6011(a)-1, or for any subsequent month for which such a return is required.

(ii) This subdivision shall apply to excise taxes (to which this part relates) which are reportable on Form 720 by any person for February and March 1967, or for a calendar quarter thereafter, if such person's total liability for all excise taxes reportable on such form for any calendar month in the preceding calendar quarter exceeded \$2,000. A person shall deposit the excise taxes to which this subdivision applies in a Federal Reserve bank on or before the close of the semimonthly period (as defined in paragraph (b) of this section) following the semimonthly period for which the taxes are reportable. A person will be considered to have complied with the requirements of this subdivision for a semimonthly period if—

(a) (1) His deposit for such semimonthly period is not less than 90 percent of the total amount of the excise taxes (to which this part and Part 48 relate) reportable by him on Form 720 for such period, and (2) if such period occurs in a month other than the last month in a calendar quarter, he deposits any underpayment for such month by the last day of the following month; or

(b) (1) His deposit for each semimonthly period in the month is not less than 45 percent of the total amount of the excise taxes (to which this part and Part 48 relate) reportable by him on Form 720 for the month, and (2) if such month is other than the last month in a calendar quarter, he deposits any underpayment for such month by the last day of the following month; or

(c) (1) His deposit for each semimonthly period in the month is not less than 50 percent of the total amount of the excise taxes (to which this part and Part 48 relate) reportable by him on Form 720 for the preceding calendar month, and (2) if the semimonthly period is in a month other than the last month in a calendar quarter, he deposits any underpayment for such month by the last day of the following month.

However, (b) and (c) of this subdivision shall not apply to any such person who normally incurs in the first semimonthly period in each month more than 75 percent of his total excise tax liability (to which this part and Part 48 relate) for the month.

(b) *Definition of semimonthly period.* A "semimonthly period" means the first

15 days of a calendar month or the portion of a calendar month following the 15th day of such month.

(c) *Manner of making remittances.* Each remittance required by paragraph (a) (1) of this section shall be accompanied by a Depositary Receipt for Federal Excise Taxes (Form 537) prepared in accordance with the instructions and regulations applicable thereto. The person shall forward his remittance, together with the depositary receipt, to a Federal Reserve bank or, at his election, to a commercial bank authorized in accordance with Treasury Department Circular No. 848 to accept remittances of the taxes for transmission to a Federal Reserve bank. The depositary receipt will be returned to the person after the Federal Reserve bank has validated it. Every person making deposits pursuant to this section shall attach to his return for the calendar quarter with respect to which deposits are made, in part or in full payment of the taxes shown thereon, depositary receipts so validated, and shall pay the balance, if any, of the taxes due for the quarter. A person with a total liability of not more than \$100 for a calendar month may nevertheless deposit the tax if he so desires.

MANUFACTURERS AND RETAILERS EXCISE TAXES

PAR. 2. Section 48.0-4 is amended to read as follows:

§ 48.0-4 Extent to which the regulations in this part supersede prior regulations.

The regulations in this part, with respect to the subject matter within the scope thereof, supersede the Manufacturers and Retailers Excise Tax Regulations contained in Part 40 of this chapter and, to the extent not superseded by the regulations contained in such Part 40, the following regulations and such regulations as prescribed and made applicable to the Internal Revenue Code of 1954 by Treasury Decision 6091, signed August 16, 1954 (19 F.R. 5167, Aug. 17, 1954):

Taxes on gasoline, lubricating oil, and matches—Regulations 44 (1944 edition, as amended), 26 CFR (1939) Part 314.

Excise taxes on sales by the manufacturer—Regulations 46 (1940 edition, as amended), 26 CFR (1939) Part 316.

Excise tax on sale of pistols and revolvers—Regulations 47 (Revised October 1928, as amended), 26 CFR (1939) Part 302.

Retailers excise taxes—Regulations 51 (1941 edition, as amended), 26 CFR (1939) Part 320.

Excise tax on diesel fuel—Regulations 119, 26 CFR (1939) Part 324.

The regulations in this part, with respect to the subject matter within the scope thereof, also supersede paragraph (c) of § 477.4 (Regulations on Return and Payment of Certain Excise Taxes (26 CFR (1939) Part 477)).

PAR. 3. Immediately after § 48.6206-1, there are added the following new sections:

§ 48.6302(c) Statutory provisions; mode or time of collection.

Sec. 6302. *Mode or time of collection.* * * *
(c) *Use of Government depositaries.* The Secretary or his delegate may authorize Federal Reserve banks, and incorporated banks or trust companies which are depositaries or financial agents of the United States, to receive any tax imposed under the internal revenue laws, in such manner, at such times, and under such conditions as he may prescribe; and he shall prescribe the manner, times, and conditions under which the receipt of such tax by such banks and trust companies is to be treated as payment of such tax to the Secretary or his delegate.

[Sec. 6302(c) as originally enacted and in effect Jan. 1, 1959]

§ 48.6302(c)-1 Use of Government depositaries.

(a) *Requirement*—(1) *In general.* (i) Except as provided in subdivision (ii) of this subparagraph, if for any calendar month, other than the last month of a calendar quarter, any person required to file a quarterly excise tax return on Form 720 has a total liability of more than \$100 for all excise taxes reportable on such form, the amount of such liability for taxes (to which this part relates) shall be deposited by him with a Federal Reserve bank on or before the last day of the month following such month.

(ii) This subdivision shall apply to excise taxes (to which this part relates) which are reportable on Form 720 by any person for February and March 1967, or for a calendar quarter thereafter, if such person's total liability for all excise taxes reportable on such form for any calendar month in the preceding calendar quarter exceeded \$2,000. A person shall deposit the excise taxes to which this subdivision applies in a Federal Reserve bank on or before the close of the semi-monthly period (as defined in paragraph (b) of this section) following the semi-monthly period for which the taxes are reportable. A person will be considered to have complied with the requirements of this subdivision for a semi-monthly period if—

(a)(1) His deposit for such semi-monthly period is not less than 90 percent of the total amount of the excise taxes (to which this part and Part 46 relate) reportable by him on Form 720 for such period, and (2) if such period occurs in a month other than the last month in a calendar quarter, he deposits any underpayment for such month by the last day of the following month; or

(b)(1) His deposit for each semi-monthly period in the month is not less than 45 percent of the total amount of the excise taxes (to which this part and Part 46 relate) reportable by him on Form 720 for the month, and (2) if such month is other than the last month in a calendar quarter, he deposits any underpayment for such month by the last day of the following month; or

(c)(1) His deposit for each semi-monthly period in the month is not less than 50 percent of the total amount of the excise taxes (to which this part and

Part 46 relate) reportable by him on Form 720 for the preceding calendar month, and (2) if the semi-monthly period is in a month other than the last month in a calendar quarter, he deposits any underpayment for such month by the last day of the following month.

However, (b) and (c) of this subdivision shall not apply to any such person who normally incurs in the first semi-monthly period in each month more than 75 percent of his total excise tax liability (to which this part and Part 46 relate) for the month.

(2) *Procurement of depositary receipt form.* A person not supplied with Form 537, Depositary Receipt for Federal Excise Taxes, should make application therefor to the district director in ample time to have the form available for use in making his initial deposit within the time prescribed in subparagraph (1) of this paragraph. Thereafter, a blank form will be sent to the person by the Federal Reserve bank when returning the validated depositary receipt. A person may secure additional forms from a Federal Reserve bank by applying therefor and advising the bank of his identification number. The person's identification number and name, as entered on each depositary receipt, shall be the same as the number and name required to be shown on the return to be filed. For rules relating to employer identification numbers, see § 48.6109-1. The address of the person, as shown on each depositary receipt, shall be the address to which the receipt should be returned following validation by the Federal Reserve bank.

(b) *Definition of semi-monthly period.* A "semi-monthly period" means the first 15 days of a calendar month or the portion of a calendar month following the 15th day of such month.

(c) *Manner of making remittances.* Each remittance required by paragraph (a)(1) of this section shall be accompanied by a Depositary Receipt for Federal Excise Taxes (Form 537) prepared in accordance with the instructions and regulations applicable thereto. The person shall forward his remittance, together with the depositary receipt, to a Federal Reserve bank or, at his election, to a commercial bank authorized in accordance with Treasury Department Circular No. 848 to accept remittances of the taxes for transmission to a Federal Reserve bank. The depositary receipt will be returned to the person after the Federal Reserve bank has validated it. Every person making deposits pursuant to this section shall attach to his return for the calendar quarter with respect to which deposits are made, in part or in full payment of the taxes shown thereon, depositary receipts so validated, and shall pay the balance, if any, of the taxes due for the quarter. A person with a total liability of not more than \$100 for a calendar month may nevertheless deposit the tax if he so desires.

FACILITIES AND SERVICES EXCISE TAXES

PAR. 4. Section 49.0-4 is amended to read as follows:

§ 49.0-4 Extent to which the regulations in this part supersede prior regulations.

The regulations in this part, with respect to the subject matter within the scope thereof, supersede the Facilities and Services Excise Tax Regulations contained in Part 42 of this chapter and, to the extent not superseded by the regulations contained in such Part 42, the following regulations and such regulations as prescribed and made applicable to the Internal Revenue Code of 1954 by Treasury Decision 6091, signed August 16, 1954 (19 F.R. 5167, Aug. 17, 1954):

Safe deposit boxes, transportation of oil by pipeline, telephone, telegraph, radio and cable messages and services, and transportation of persons.	Regulations 42 (1942 edition, as amended), 26 CFR (1939) Part 130.
Admissions, dues, and initiation fees.	Regulations 43 (1941 edition, as amended), 26 CFR (1939) Part 101.

The regulations in this part, with respect to the subject matter within the scope thereof, also supersede paragraph (a) of § 477.3 and paragraph (c) of § 477.4 (Regulations on Return and Payment of Certain Excise Taxes (26 CFR (1939) Part 477)) and Treasury Decision 6131, signed April 29, 1955 (20 F.R. 3024, May 5, 1955).

PAR. 5. Immediately before § 49.6109, there are added the following new sections:

§ 49.6071(a) Statutory provisions; time for filing returns and other documents.

Sec. 6071. *Time for filing returns and other documents*—(a) *General rule.* When not otherwise provided for by this title, the Secretary or his delegate shall by regulations prescribe the time for filing any return, statement, or other document required by this title or by regulations.

[Sec. 6071(a) as originally enacted and in effect Jan. 1, 1959]

§ 49.6071(a)-1 Time for filing quarterly returns.

(a) *Quarterly returns for return periods ended after December 31, 1966.* Each quarterly return required to be made with respect to the excise taxes (to which this part relates) for a return period ended after December 31, 1966, of not less than one calendar quarter shall be filed on or before the last day of the second calendar month after such period.

(b) *Termination of special due date.* No special due date for filing a return obtained under the Internal Revenue Code of 1939 (made applicable to the 1954 Code by Treasury Decision 6131, signed Apr. 29, 1955 (20 F.R. 3024, May 5, 1955)) shall apply in the case of the return for any return period ended after December 31, 1966.

PAR. 6. Immediately after § 49.6109-1, there are added the following new sections:

§ 49.6302(c) Statutory provisions; mode or time of collection.

Sec. 6302. *Mode or time of collection.* * * *

(c) *Use of Government depositaries.* The Secretary or his delegate may authorize Federal Reserve banks, and incorporated banks or trust companies which are depositaries or financial agents of the United States, to receive any tax imposed under the internal revenue laws, in such manner, at such times, and under such conditions as he may prescribe; and he shall prescribe the manner, times, and conditions under which the receipt of such tax by such banks and trust companies is to be treated as payment of such tax to the Secretary or his delegate.

[Sec. 6302(c) as originally enacted and in effect Jan. 1, 1959]

§ 49.6302(c)-1 Use of Government depositaries.

(a) *Requirement*—(1) *In general.* (i) Except as provided in subdivision (ii) of this subparagraph, if for any calendar month, other than the last month of a calendar quarter, any person required to file a quarterly excise tax return on Form 720 has a total liability of more than \$100 for all excise taxes reportable on such form, the amount of such total liability shall be deposited by him with a Federal Reserve bank on or before the last day of the month following such month.

(ii) This subdivision shall apply to excise taxes (to which this part relates) which are collected (see subdivision (iii) of this subparagraph for amounts which are considered as collected) during February and March 1967, or during a calendar quarter thereafter, by any person required to pay over such taxes, if such person's total liability for all excise taxes reportable on Form 720 for any calendar month in the preceding calendar quarter exceeded \$2,000. A person shall deposit the excise taxes to which this subdivision applies in a Federal Reserve bank within 3 banking days after the close of the semimonthly period (as defined in paragraph (b) of this section) during which such taxes were collected. A person will be considered to have complied with the requirements of this subdivision for a semimonthly period if—

(a) (1) His deposit for such semimonthly period is not less than 90 percent of the total amount of the excise taxes (to which this part relates) collected by him during such period, and (2) if such period occurs in a month other than the last month in a calendar quarter, he deposits any underpayment for such month by the last day of the following month; or

(b) (1) His deposit for each semimonthly period in the month is not less than 45 percent of the total amount of the excise taxes (to which this part relates) collected by him during the month, and (2) if such month is other than the last month in a calendar quarter, he deposits any underpayment for such month by the last day of the following month; or

(c) (1) His deposit for each semimonthly period in the month is not less than 50 percent of the total amount of the excise taxes (to which this part

relates) collected by him during the preceding calendar month, and (2) if the semimonthly period is in a month other than the last month in a calendar quarter, he deposits any underpayment for such month by the last day of the following month.

However, (b) and (c) of this subdivision shall not apply to any such person who normally collects in the first semimonthly period in each month more than 75 percent of his total excise taxes (to which this part relates) collected during the month. Notwithstanding the other provisions of this subdivision, all amounts required to be deposited under this subdivision with respect to taxes collected during February 1967 may be deposited within 3 banking days after the close of such month.

(iii) For purposes of applying this subparagraph to a person who computes amounts of tax required to be paid over on the basis of bills rendered (in the case of the tax imposed by sec. 4251) or tickets sold (in the case of the tax imposed by sec. 4261), the tax so computed for a semimonthly period shall be considered as collected during the second succeeding semimonthly period. A person must notify the Commissioner before changing from one method of computing the tax to another, so that proper adjustments may be made in order to properly reflect the person's excise tax liability.

(2) *Procurement of depositary receipt form.* A person not supplied with Form 537, Depositary Receipt for Federal Excise Taxes, should make application therefor to the district director in ample time to have such form available for use in making his initial deposit within the time prescribed in subparagraph (1) of this paragraph. Thereafter, a blank form will be sent to the person by the Federal Reserve bank when returning the validated depositary receipt. A person may secure additional forms from a Federal Reserve bank by applying therefor and advising the bank of his identification number. The person's identification number and name, as entered on each depositary receipt, shall be the same as the number and name required to be shown on the return to be filed. For rules relating to employer identification numbers, see § 49.6109-1. The address of the person, as shown on each depositary receipt, shall be the address to which the receipt should be returned following validation by the Federal Reserve bank.

(b) *Definition of semimonthly period.* A "semimonthly period" means the first 15 days of a calendar month or the portion of a calendar month following the 15th day of such month.

(c) *Manner of making remittances.* Each remittance required by paragraph (a) (1) of this section shall be accompanied by a Depositary Receipt for Federal Excise Taxes (Form 537) prepared in accordance with the instructions and regulations applicable thereto. The person shall forward his remittance, together with the depositary receipt, to a Federal Reserve bank or, at his election, to a commercial bank authorized in accordance with Treasury Department Cir-

cular No. 848 to accept remittances of the taxes for transmission to a Federal Reserve bank. The depositary receipt will be returned to the person after the Federal Reserve bank has validated it. Every person making deposits pursuant to this section shall attach to his return for the calendar quarter with respect to which deposits are made, in part or in full payment of the taxes shown thereon, depositary receipts so validated, and shall pay the balance, if any, of the taxes due for the quarter. A person with a total liability of not more than \$100 for a calendar month may nevertheless deposit the tax if he so desires:

(d) *Termination of special deposit date.* No special deposit date, obtained under the Internal Revenue Code of 1939 (made applicable to the 1954 Code by Treasury Decision 6131, signed Apr. 29, 1955 (20 F.R. 3024, May 5, 1955)) shall apply in the case of a deposit required by paragraph (a) (1) (ii) of this section.

[F.R. Doc. 66-13571; Filed, Dec. 15, 1966; 8:50 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 980]

ONION IMPORTS

Notice of Proposed Rule Making

Notice is hereby given of a proposed amendment to § 980.105, Onion Import Regulation (31 F.R. 11089), applicable to the importation of onions into the United States to become effective March 1, 1967, under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

Under section 8e-1 of the act, whenever two or more marketing orders are concurrently in effect regulating the same agricultural commodity produced in different areas of the United States, the importation of such commodity shall be prohibited unless it complies with the grade, size, quality, and maturity provisions of the order which, as determined by the Secretary of Agriculture, regulates the commodity produced in the area with which the imported commodity is in most direct competition.

Onion import regulation § 980.105 (31 F.R. 11089), effective since September 1, 1966, complies with the grade, size, quality, and maturity requirements for onions handled during the period ending June 15, 1967, under Marketing Order No. 958 (7 CFR Part 958) regulating shipments of onions grown in designated counties of Idaho and Eastern Oregon. However, grade, size, quality, and maturity requirements are to become effective during the period March 1, 1967, through June 15, 1967, under Marketing Order No. 959, as amended (7 CFR Part 959), regulating shipments of South Texas onions.

All persons who desire to submit written data, views, or arguments pertaining to the proposed amendment should file the same in quadruplicate with the Hearing Clerk, Room 112, U.S. Department of Agriculture, Washington, D.C. 20250, not

later than 20 days after publication of this notice in the *FEDERAL REGISTER*. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The proposed amendment is as follows:

In § 980.105 *Onion import regulation* (31 F.R. 11089), delete the introductory paragraph and paragraphs (a) and (h) and substitute in lieu thereof a new introductory paragraph and new paragraphs (a), (h), and (i) as set forth below. Paragraph (b) is republished for information.

§ 980.105 *Onion import regulation.*

Except as otherwise provided, during the period beginning March 1, 1967, and continuing through June 15, 1967, no person may import dry onions unless such onions are inspected and meet the requirements of this section.

(a) *Minimum grade and size requirements*—(1) *Grade*. Not to exceed 20 percent defects of U.S. No. 1 grade. In percentage grade lots, tolerances for serious damage shall not exceed 10 percent including not more than 2 percent decay. Double the lot tolerance shall be permitted in individual packages in percentage grade lots. Application of tolerances in U.S. Grade Standards shall apply to in-grade lots.

(2) *Size*. White onions—1 inch minimum diameter; all other varieties of onions—1 1/4 inches minimum diameter.

(b) *Condition*. Due consideration shall be given to the time required for transportation and entry of onions into the United States. Onions with transit time from country of origin to entry into the United States of 10 or more days may be entered if they meet an average tolerance for decay of not more than 5 percent, provided they also meet the requirements of this section.

(h) *Imports*. It is hereby determined that imports of onions during the period March 1, through June 15, 1967, will be in most direct competition with onions produced in the South Texas production area and that the import requirements for grade, size, quality, and maturity during such period are the same as those being made effective for South Texas onions during such period.

(i) *Definitions*. For the purpose of this section, "Onions" means all (except red) varieties of *Allium cepa* marketed dry, except dehydrated, canned, and frozen onions, onion sets, green onions, and pickling onions. Onions commonly referred to as "braided," that is, with tops, may be imported if they meet the grade and size requirements except for top length. The term "U.S. No. 1" shall have the same meaning as set forth in the U.S. Standards for Grades of Bermuda-Granex-Grano Type Onions (§§ 51.3195-51.3209 of this title), or in the U.S. Standards for Grades of Onions (§§ 51.2830-51.2850 of this title), whichever is applicable to the particular variety. Tolerances for size shall be those in the U.S. Standards. The require-

ments of Canada No. 1 grade are deemed comparable to the requirements of U.S. No. 1 grade. "Importation" means release from custody of the U.S. Bureau of Customs.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: December 13, 1966.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-13529; Filed, Dec. 15, 1966; 8:49 a.m.]

DEPARTMENT OF LABOR

Office of the Secretary

[41 CFR Part 50-202]

MINIMUM WAGE DETERMINATIONS

Adjustments to Wage Increases Under Fair Labor Standards Act

Some of the prevailing minimum wage determinations for particular industries currently in effect under section 1(b) of the Walsh-Healey Public Contracts Act as amended (41 U.S.C. 35 et seq.) provide minimum wages higher than \$1.40 per hour. Other such determinations, based on evidence now, or soon to be, outdated, provide minimum wages of less than \$1.40 per hour.

Effective February 1, 1967, the Fair Labor Standards Amendments of 1966 (P.L. 89-601, 89th Cong., Sept. 23, 1966) require the payment of a minimum wage of not less than \$1.40 an hour by every employer to each of his employees who is engaged in commerce or in the production of goods for commerce (as those terms are broadly defined in that Act), or employed in certain enterprises so engaged, who does not come within one of its specific exemptions from that requirement. Based upon legal and economic data obtained in over 27 years of investigation and litigation, including administration and enforcement of six previous statutory minimum wage increases under the Fair Labor Standards Act of 1938, economic studies, statutory reports to the Congress, and testimony, findings, and reports in administrative and legislative proceedings, I do hereby take official notice, under section 7(d) of the Administrative Procedure Act (5 U.S.C. 556(d)), that the application of, and compliance with, this requirement is such as to raise to \$1.40 per hour any level of lower minimum wages prevailing in any of the groups of industries currently operating in any locality in which materials, supplies, articles, or equipment are to be manufactured or furnished under any contracts subject to the Walsh-Healey Public Contracts Act.

Accordingly, I propose to make a final prevailing minimum wage determination under section 1(b) of the Walsh-Healey Public Contracts Act (41 U.S.C. 35(b)) for effect as to all contracts subject to the Public Contracts Act, bids for which are invited, offers for which are solicited,

or negotiations otherwise commenced on or after February 1, 1967, that the prevailing minimum wage is \$1.40 per hour in all those groups of industries currently operating in each locality in which the materials, supplies, articles, or equipment are to be manufactured or furnished under such contracts, except those particular or similar industries for which minimum wage determinations higher than \$1.40 per hour will have been made. Under this proposal, provision will be made for the employment of learners at lesser rates to the same extent such employment is permitted under the Fair Labor Standards Act.

Any person adversely affected or aggrieved by this proposal (who shall be deemed to include any manufacturer of, or regular dealer in, materials, supplies, articles, or equipment purchased or to be purchased by the Government from any source, who is in any industry to which this proposal is applicable, and any employee or representative of employees of any such person) shall have a hearing, as provided in section 10(b) of the Act (41 U.S.C. 43a(b)), and an opportunity to make a showing contrary to the facts herein officially noticed, as provided in section 7(d) of the Administrative Procedure Act (5 U.S.C. 556(d)) upon timely application as herein provided.

Such application must be in writing, filed in quadruplicate with the Chief Hearing Examiner, U.S. Department of Labor, Washington, D.C. 20210, within 20 days after this notice is filed for publication with the Office of the Federal Register. It shall define precisely each industry and each locality in such industry as to which the applicant will make such a showing and state the minimum wages he will show to be prevailing there. Each copy of such application shall have attached a copy of each document the applicant intends to introduce in evidence at the hearing, an identification of each witness he intends to call, a summary of the testimony he expects to develop from each such witness, the name and address of the person selected to present such evidence, and his estimate of the time such presentation will require. The issues at any such hearing shall not exceed those presented in any such application or applications. A hearing will be scheduled only in response to an application that is timely filed and that contains all of the information specified above. The time and place of hearing will be published in the *FEDERAL REGISTER*, if, and after, applications are received. The procedure will be governed by sections 7 and 8 of the Administrative Procedure Act (5 U.S.C. 556 and 557), 41 CFR Part 50-203, Subpart C, and the applicable provisions of the Walsh-Healey Public Contracts Act (41 U.S.C. 35 et seq.).

Signed at Washington, D.C., this 12th day of December 1966.

W. WILLARD WIRTZ,
Secretary of Labor.

[F.R. Doc. 66-13503; Filed, Dec. 15, 1966; 8:47 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 39]

[Docket No. 7803]

PIPER MODEL AIRPLANES

Proposed Airworthiness Directive

Piper Model J3, J4, J5, PA-11, PA-12, PA-14, PA-15, PA-16, PA-17, PA-18, PA-19, PA-20, PA-22, and PA-24 Series Airplanes.

The Federal Aviation Agency is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive applicable to certain Piper airplanes. There have been failures of the engine exhaust system components on certain Piper airplanes of the type that can cause engine power loss or failure, carbon monoxide contamination of cabin air, and in-flight fires. Since this condition is likely to exist or develop in other airplanes of the same design, the proposed AD would require inspection and repair as necessary of engine exhaust systems and repetitive replacement of mufflers on the subject airplanes.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20553. All communications received on or before February 14, 1967, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

This amendment is proposed under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423).

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following new airworthiness directive:

PIPER. Applies to Model J3, J4, J5, PA-11, PA-12, PA-14, PA-15, PA-16, PA-17, PA-18, PA-19, PA-20, PA-22, and PA-24 Series airplanes, except Model PA 24-260. Compliance required as indicated.

(a) Within the next 50 hours' time in service, inspect all exhaust mufflers with 950 or more hours' time in service on the effective date of this AD in accordance with paragraph (c). Repeat these inspections at intervals not to exceed 50 hours' time in service thereafter until the exhaust muffler is replaced by a new exhaust muffler of the same part number or an approved alternate.

(b) For airplanes except Models J3, J4, J5, and PA-11, inspect exhaust mufflers with less than 950 hours' time in service within

the next 50 hours' time in service after the effective date of this AD in accordance with paragraph (c). Repeat these inspections at intervals not to exceed 100 hours' time in service from the last inspection, until 950 hours' time in service have been accumulated on the muffler.

(c) Inspect in accordance with paragraph (d) and paragraph (e), if applicable, the engine exhaust muffler and shroud assembly (including the internal baffle tube and tail pipe), carburetor heat shroud and air duct, support braces, clamps and brackets, exhaust stacks, manifolds, and engine mount tubes and rubber bushings.

NOTE. Some mufflers do not incorporate an internal baffle tube. However, those mufflers incorporating an internal baffle tube shall not be altered to remove the tube without prior FAA approval.

(Piper Service Letter No. 324B describes the critical areas.)

(d) Remove muffler assembly, disconnect air ducts, stacks, and shrouds as necessary, and visually inspect exterior and interior surfaces with a probe light and mirror for signs of cracks, corrosion, burn-throughs, heat damage, collapsed stack, or weld separations. For carburetor type engines, special attention should be given to the exhaust stack under the carburetor heat shroud. Except during the initial inspection, the muffler need not be removed from the airplane, provided visual inspection with probe light and mirror is made through the muffler tail pipe outlet and one end of the muffler at the stack connection.

(e) If the inspection specified in paragraph (d) shows that the exhaust stacks and internal baffle tube are in good condition, but there are areas inside the muffler which cannot be adequately inspected with a probe light and mirror, accomplish one of the following:

(1) Accomplish a submerged pressure check of the muffler and exhaust stack at 10 p.s.i. air pressure.

(2) Close and secure cabin heat valves at the firewall until a complete muffler inspection in accordance with paragraph (d) is accomplished.

(3) Conduct a ground test using a carbon monoxide indicator by heading the airplane into the wind, warming the engine on the ground, advancing throttle to full static r.p.m. with cabin heat valves open, and taking carbon monoxide readings of the heated air stream inside the cabin at each outlet (including rear seat heat outlet, if installed) and another reading in free air 15 feet in front of the propeller. If carbon monoxide indication in the cabin is greater than in free air, remove the muffler assembly, and inspect in accordance with paragraph (d) and subparagraph (1) before further flight.

(f) Replace or repair parts found to have the defects listed in paragraph (d) before further flight. Make welding repairs in accordance with Advisory Circular AC 43.13-1 or an FAA-approved equivalent. Pressure-check mufflers and stacks that are repair-welded before reinstallation. (Care should be exercised when reinstalling the exhaust system components to prevent distortion or preloading of parts.)

Issued in Washington, D.C., on December 9, 1966.

C. W. WALKER,
Director, Flight Standards Service.

[F.R. Doc. 66-13488; Filed, Dec. 15, 1966; 8:46 a.m.]

[14 CFR Part 75]

[Airspace Docket No. 66-WE-68]

JET ROUTES

Proposed Alteration and Revocation

The Federal Aviation Agency is considering amendments to Part 75 of the Federal Aviation Regulations that would alter the Jet Route structure in the vicinity of The Dalles, Oreg.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, Post Office Box 90007, Airport Station, Los Angeles, Calif. 90009. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposals contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20553. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

The Federal Aviation Agency proposes the following airspace actions.

1. Realign J-15 segment from John Day, Oreg., direct to Portland, Oreg.

2. Realign J-16 segment from Portland to Pendleton, Oreg., via the intersection of Portland 100° T (079° M) and Pendleton 254° T (234° M) radials.

3. Realign J-67 segment from Lakeview, Oreg., direct to Portland.

4. Revoke J-73 from Boise, Idaho, to The Dalles.

5. Extend J-82 from Portland direct to McCall, Idaho.

6. Revoke J-93 segment from Newport, Oreg., to Portland.

7. Revoke J-114 from The Dalles to McCall.

8. Extend J-136 from Portland direct to Newport, Oreg.

These proposed actions associated with the planned relocation of The Dalles VORTAC during April 1967, will permit simplification of the Jet Route structure and will reduce jet route en route mileage.

These amendments are proposed under section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on December 12, 1966.

H. B. HELSTROM,
Chief, Airspace and Air
Traffic Rules Division.

[F.R. Doc. 66-13489; Filed, Dec. 15, 1966; 8:46 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

M. HARTLEY DODGE UNIT

Notice of Public Hearing Regarding Wilderness Proposal

Notice is hereby given in accordance with provisions of the Wilderness Act of September 3, 1964 (P.L. 88-577; 78 Stat. 890, 892; 16 U.S.C. 1131, 1132), that a public hearing will be held beginning at 9 a.m. on February 17, 1967, at the Lecture Hall in the Morris County Nature Education Center, Chatham Township, Morris County, N.J., on a proposal leading to a recommendation to be made to the President of the United States by the Secretary of the Interior, regarding the desirability of including the M. Hartley Dodge Unit in the National Wilderness Preservation System. The Unit consists of approximately 2,400 acres within the Great Swamp National Wildlife Refuge, and is located in portions of Chatham, Harding, and Passaic Townships, entirely within Morris County, State of New Jersey.

A brochure containing a map and information about the M. Hartley Dodge Unit may be obtained from the Refuge Manager, Great Swamp National Wildlife Refuge, 614 Meyersville Road, Gillette, N.J. 07933, or the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109.

Individuals or organizations may express their oral or written views by appearing at this hearing, or they may submit written comments for inclusion in the official record to the Regional Director at the above address by March 17, 1967.

JOHN S. GOTTSCHALK,
Director, Bureau of
Sport Fisheries and Wildlife.

DECEMBER 14, 1966.

[F.R. Doc. 66-13530; Filed, Dec. 15, 1966; 8:50 a.m.]

WISCONSIN ISLANDS UNIT

Notice of Public Hearing Regarding Wilderness Proposal

Notice is hereby given in accordance with provisions of the Wilderness Act of September 3, 1964 (P.L. 88-577; 78 Stat. 890, 892; 16 U.S.C. 1131, 1132), that a public hearing will be held beginning at 9 a.m. on February 15, 1967, at the Door County Courthouse, Sturgeon Bay, Wis., on a proposal leading to a recommendation to be made to the President of the United States by the Secretary of the Interior, regarding the desirability of including the Wisconsin Islands Unit in

the National Wilderness Preservation System. The Unit, comprising Hog Island, Gravel Island, and Spider Island; consists of approximately 29 acres lying entirely within Door County, Wis.; and encompasses the Green Bay and Gravel Island National Wildlife Refuges.

A brochure containing a map and information about the Wisconsin Islands Unit may be obtained from the Refuge Manager, Horicon National Wildlife Refuge, Route 2, Mayville, Wis. 53050, or the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minn. 55408.

Individuals or organizations may express their oral or written views by appearing at this hearing, or they may submit written comments for inclusion in the official record to the Regional Director at the above address by March 15, 1967.

JOHN S. GOTTSCHALK,
Director, Bureau of
Sport Fisheries and Wildlife.

DECEMBER 14, 1966.

[F.R. Doc. 66-13531; Filed, Dec. 15, 1966; 8:50 a.m.]

[Docket No. A-423]

GARY COLVIN

Notice of Loan Application

DECEMBER 13, 1966.

Gary Colvin, 3149 Tongass Avenue, Ketchikan, Alaska 99901, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used 40-foot length vessel to engage in the fishery for halibut, salmon, and tuna.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised Aug. 11, 1965) that the above-entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operations of the vessel will or will not cause such economic hardship or injury.

H. E. CROWTHER,
Acting Director,
Bureau of Commercial Fisheries.

[F.R. Doc. 66-13512; Filed, Dec. 15, 1966; 8:48 a.m.]

[Docket No. B-401]

BOAT LADY OF THE ROSARY, INC.

Notice of Loan Application

DECEMBER 13, 1966.

Boat Lady of the Rosary, Inc., 216 Washington Street, Gloucester, Mass. 01930, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used 92.1-foot registered length vessel to engage in the fishery for groundfish, whiting, and fish for industrial uses.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised Aug. 11, 1965) that the above-entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operations of the vessel will or will not cause such economic hardship or injury.

H. E. CROWTHER,
Acting Director,
Bureau of Commercial Fisheries.

[F.R. Doc. 66-13513; Filed, Dec. 15, 1966; 8:48 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration AQUAFINE CORP.

Notice of Withdrawal of Petition for Food Additive Ultraviolet Radiation

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b), 72 Stat. 1786; 21 U.S.C. 348(b)), the following notice is issued:

In accordance with §121.52 *Withdrawal of petitions without prejudice* of the procedural food additive regulations (21 CFR 121.52), Aquafine Corp., 1230 Sunset Boulevard, Los Angeles, Calif. 90026, has withdrawn its petition (FAP 7M2075), notice of which was published in the FEDERAL REGISTER of September 27, 1966 (31 F.R. 12651), proposing an amendment to §121.3006 *Ultraviolet radiation for the processing and treatment of food* to provide for the safe use of ultraviolet radiation in the reduction of

molds and yeasts within liquid sugar solutions.

The withdrawal of this petition is without prejudice to a future filing.

Dated: December 8, 1966.

R. E. DUGGAN,
Acting Associate Commissioner
for Compliance.

[F.R. Doc. 66-13526; Filed, Dec. 15, 1966;
8:49 a.m.]

DIAMOND ALKALI CO.

Notice of Withdrawal of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b), 72 Stat. 1786; 21 U.S.C. 348(b)), the following notice is issued:

In accordance with §121.52 *Withdrawal of petitions without prejudice* of the procedural food additive regulations (21 CFR 121.52), Diamond Alkali Co., Union Commerce Building, Cleveland, Ohio 44115, has withdrawn its petition (FAP 7A2113), notice of which was published in the FEDERAL REGISTER of November 2, 1966 (31 F.R. 14012), proposing that § 121.1148 *Ion-exchange resins* be amended to provide for the safe use in the purification of food of an ion-exchange resin consisting of cross-linked phenoformaldehyde activated with ammonia.

The withdrawal of this petition is without prejudice to a future filing.

Dated: December 8, 1966.

R. E. DUGGAN,
Acting Associate Commissioner
for Compliance.

[F.R. Doc. 66-13528; Filed, Dec. 15, 1966;
8:49 a.m.]

DISOGRIN INDUSTRIES

Notice of Withdrawal of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b), 72 Stat. 1786; 21 U.S.C. 348(b)), the following notice is issued:

In accordance with §121.52 *Withdrawal of petitions without prejudice* of the procedural food additive regulations (21 CFR 121.52), Disogrin Industries, Division of Pellon Corp., Grenier Field, Manchester, N.H. 03103, has withdrawn its petition (FAP 7B2072), notice of which was published in the FEDERAL REGISTER of September 9, 1966 (31 F.R. 11900), proposing an amendment to § 121.2562 *Rubber articles intended for repeated use* to provide for the safe use of a certain polyurethane rubber in articles intended for repeated use in contact with food.

The withdrawal of this petition is without prejudice to a future filing.

Dated: December 8, 1966.

R. E. DUGGAN,
Acting Associate Commissioner
for Compliance.

[F.R. Doc. 66-13525; Filed, Dec. 15, 1966;
8:49 a.m.]

REICHHOLD CHEMICALS, INC.

Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b) (5), 72 Stat. 1786; 21 U.S.C. 348 (b) (5)), notice is given that a petition (FAP 6B2053) has been filed by Reichhold Chemicals, Inc., RCI Building, White Plains, N.Y. 10602, proposing that § 121.2536 *Filters, resin-bonded* be amended to provide for the safe use of melamine formaldehyde resins modified with urea as components of resin-bonded filters used for filtering food.

Dated: December 8, 1966.

R. E. DUGGAN,
Acting Associate Commissioner
for Compliance.

[F.R. Doc. 66-13527; Filed, Dec. 15, 1966;
8:49 a.m.]

Office of the Secretary

BUREAU OF ADULT AND VOCATIONAL EDUCATION

Organization

Part 6 of the Statement of Organization and Delegations of Authority to the Office of Education of the Department of Health, Education, and Welfare (22 F.R. 1045) is hereby amended to establish under section 6.10 *Organization* (a) a new division in the Bureau of Adult and Vocational Education, the Division of Manpower Development and Training. The organization of that Bureau now reads as follows:

Bureau of Adult and Vocational Education:
Office of the Associate Commissioner.
Division of Vocational and Technical Education.
Division of Library Services and Educational Facilities.
Division of Adult Education Programs.
Division of Manpower Development and Training.

Dated: December 9, 1966.

[SEAL] JOHN W. GARDNER,
Secretary.

[F.R. Doc. 66-13524; Filed, Dec. 15, 1966;
8:49 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 16979; FCC 66-1139]

INTERDEPENDENCE OF COMPUTER AND COMMUNICATION SERVICES AND FACILITIES

Order; Regulatory and Policy Problems

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 9th day of December 1966;

The Commission having under consideration a Petition for Extension of

Time dated December 7, 1966, on behalf of the Association of American Railroads requesting an extension of time from December 12, 1966, until February 12, 1967, within which to file suggested additions, modifications or clarifications of the items of inquiry; and

It appearing, that the imminence of the presently prescribed December 12, 1966, date for filing such suggestions precludes our waiting for the filing of oppositions by interested persons; and

It further appearing, that because of the lateness in time in filing this Petition, a grant would be unfair to other interested persons; and

It further appearing, that the Commission will, however, consider any suggested additions, modifications, or clarifications to the items specified in our notice of November 10, 1966, that may be filed prior to our issuance of the Supplemental Notice of Inquiry contemplated by our notice of November 10.

It is ordered, That the relief requested in the Petition for the extension of time is hereby denied.

Released: December 12, 1966.

FEDERAL COMMUNICATIONS

COMMISSION,¹

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-13517; Filed, Dec. 15, 1966;
8:48 a.m.]

[Docket Nos. 16258, 15011; FCC 66M-1686]

AMERICAN TELEPHONE AND TELEGRAPH CO. ET AL.

Memorandum Opinion and Order

In the matter of American Telephone and Telegraph Co. and the Associated Bell System Cos., Docket No. 16258; charges for interstate and foreign communication service; in the matter of American Telephone and Telegraph Co., Docket No. 15011; charges, practices, classifications, and regulations for and in connection with teletypewriter exchange service.

1. On November 25, 1966, the Telephone Committee issued an order herein (FCC 66M-1582) which provided that any party to this proceeding, or the Commission's staff, desiring to submit evidence responsive to the testimony filed by Respondents with relation to their nonuse of accelerated depreciation permitted pursuant to the provisions of section 167 of the Internal Revenue Code, should file and distribute that testimony on or before December 19, 1966. At the hearing session on December 7, 1966 (Tr. 7476-7479), counsel for the California Public Utilities Commission expressed uncertainty as to the meaning of this order and requested clarification of the present posture of the depreciation issue and advice whether that issue is to be considered wholly, or partly, in Phase 1, or Phase 2 of this proceeding, or in both.

2. The issues to be considered in Phase 1 and Phase 2 of this proceeding, insofar

¹ Commissioners Bartley, Wadsworth, and Johnson absent.

as here pertinent, are delineated in the Commission's order of December 22, 1965 (FCC 65-1143). Consideration of depreciation accruals or reserves, under that order, is clearly within the scope of Phase 2 of this proceeding. This point was further clarified by the Commission's order of September 30, 1966 (FCC 66-882), upholding the ruling of the Presiding Examiner with respect to the exclusion of testimony of Dr. George Terborgh (Bell Exhibit No. 6; Tr. 2606-2640).

3. Involved in the order of the Telephone Committee of November 25, 1966, cited above, are Federal income taxes as they might have been affected by the use or nonuse of section 167 of the Internal Revenue Code, and net depreciation. In that connection, the Commission's staff asked certain questions of one of Respondents' witnesses as to what the dollar effect would have been had the Bell System utilized the accelerated depreciation provisions of section 167 of the Internal Revenue Code (Tr. 3261), a matter which had also been dealt with by the Telephone Committee in letters to the Respondents dated July 8, and August 9, 1966. After the Hearing Examiner overruled their objections to the questions put to the witness in this connection, Respondents noted an appeal to the Telephone Committee (Tr. 3272). In oral argument on this appeal, Respondents viewed the requested information as an enlargement of the issues in Phase 1 and insisted that due process required that they be afforded a full opportunity to put into the record a justification and defense (Tr. 3323). The Telephone Committee, in upholding the ruling of the Hearing Examiner and directing the filing of the information requested in its letter of July 8, 1966, provided that Respondents would be afforded reasonable opportunity to proffer "such testimony as they deem essential to meet any adverse inferences they believe might be drawn" (Tr. 3464).

4. Respondents and other parties submitted testimony on this subject through certain witnesses (Bell Exhibit Nos. 34 through 38 and Hawaiian Telephone Co. Ex. No. 1, U.S.I.T.A. Ex. No. 2, United Utilities, Hawaiian Telephone, GT&E Ex. No. 1, GT&E Ex. No. 1, United Utilities Ex. No. 1) on which cross-examination began on November 9, 1966 (Tr. 6284). Such testimony embraced not only the information which had been requested in the Telephone Committee's letter of July 8, 1966, but, as permitted by the ruling cited above, included additional matters apparently deemed essential by Respondents, including extensive testimony concerning the background and history of section 167 of the Internal Revenue Code and various actions of State and Federal regulatory commissions in connection therewith, requiring or permitting "normalization," "flow-through," and mandatory use of accelerated depreciation.

5. We are, thus, presented with a situation in which Respondents and other parties have offered testimony which, at least by implication, raises issues beyond

the precise scope of Phase 1 as delineated by the orders of the Commission.

6. The order of November 25, 1966, by the Telephone Committee, accordingly contemplated that the evidence in relation to this matter to be submitted by any party to this proceeding, or the Commission's staff, would be related to the matters raised by Respondents' testimony (and that of the parties supporting such testimony) and be within the scope of that testimony. All testimony on this subject is to be evaluated initially in connection with any interim order which might be adopted with respect to issues in Phase 1. But such testimony, in any event, remains in the record for consideration in so far as it may affect disposition of the Phase 2 issues to be considered later. Further, parties will not be deprived of the opportunity to offer additional pertinent testimony on this subject in the Phase 2 hearing sessions.

7. The California Public Utilities Commission also asked that the present filing date, December 19, 1966 (established in our order of Nov. 25, 1966), be extended to December 30, 1966, and noted that this should not delay the proceeding because cross-examination thereon is scheduled to begin January 9, 1967. No objection to this request has been received.

Accordingly, it is ordered, this 12th day of December 1966, that the date on which any party to this proceeding, or the Commission's staff, may submit evidence related to the matters raised by the testimony heretofore filed concerning Respondents' nonuse of accelerated depreciation permitted pursuant to the provisions of section 167 of the Internal Revenue Code, is hereby extended to December 30, 1966. Service and distribution shall be made in accordance with the requirements of the order of November 25, 1966.

Released: December 13, 1966.

By the Telephone Committee.

FEDERAL COMMUNICATIONS

COMMISSION,

[SEAL] BEN F. WAPLE,

Secretary.

[F.R. Doc. 66-13518; Filed, Dec. 15, 1966; 8:48 a.m.]

[Docket Nos. 16976-16978; FCC 66M-1675]

LEWIS BROADCASTING CORP. ET AL.

Order After Prehearing Conference

In re applications of Lewis Broadcasting Corp., Savannah, Ga., Docket No. 16976, File No. BPCT-3696; Coastal Television Corp., Savannah, Ga., Docket No. 16977, File No. BPCT-3703; WSGA Television, Inc., Savannah, Ga., Docket No. 16978, File No. BPCT-3727; for construction permit for new television broadcast station (Channel 22).

A prehearing conference having been held today in the above-entitled proceeding;

It is ordered, This 9th day of December 1966, (1) that the hearing is hereby rescheduled and will convene at the Commission's offices, Washington, D.C., on Monday, March 13, 1967 at 10 a.m.; (2) that exhibits will be exchanged in tripli-

cate among counsel by February 10, with one copy of each exhibit provided for the Presiding Officer and counsel for the Commission's Broadcast Bureau;¹ and (3) that counsel are to notify each other informally by February 20 of the witnesses they desire to cross examine; and

It is ordered further, That all other arrangements agreed upon during the prehearing conference, and the directions of the Hearing Examiner therein, are hereby approved and formalized and the transcript of the prehearing conference is incorporated by reference herein with the same force and effect as if it were set forth verbatim.

Released: December 9, 1966.

FEDERAL COMMUNICATIONS

COMMISSION,

[SEAL] BEN F. WAPLE,

Secretary.

[F.R. Doc. 66-13519; Filed, Dec. 15, 1966; 8:49 a.m.]

[Docket No. 16922; FCC 66M-1681]

AMERICAN HOMES STATIONS, INC. (WVCF)

Order Continuing Hearing

In re application of American Homes Stations, Inc. (WVCF), Windermere, Fla., Docket No. 16922, File No. BP-16643; for construction permit.

On the unopposed oral request of counsel for applicant: It is ordered, This 9th day of December 1966, that the hearing is rescheduled from December 12, 1966, to January 6, 1967.

Released: December 12, 1966.

FEDERAL COMMUNICATIONS

COMMISSION,

[SEAL] BEN F. WAPLE,

Secretary.

[F.R. Doc. 66-13520; Filed, Dec. 15, 1966; 8:49 a.m.]

[Docket Nos. 16698, 16699; FCC 66M-1679]

TRI-STATE BROADCASTERS, INC., AND EMMET RADIO CORP.

Order Continuing Hearing

In re applications of Tri-State Broadcasters, Inc., Sioux Center, Iowa, Docket No. 16698, File No. BP-16461; Emmet Radio Corporation, Estherville, Iowa, Docket No. 16699, File No. BP-16718; for construction permits.

To permit action on pending pleadings: It is ordered, This 9th day of December 1966, that the hearing is rescheduled from December 19, 1966, to January 16, 1967.

Released: December 12, 1966.

FEDERAL COMMUNICATIONS

COMMISSION,

[SEAL] BEN F. WAPLE,

Secretary.

[F.R. Doc. 66-13521; Filed, Dec. 15, 1966; 8:49 a.m.]

¹ In the event engineering exhibits are exchanged the parties shall provide two copies thereof to the Bureau counsel.

[Docket Nos. 16890, 16891; FCC 66M-1685]

**LUIS PRADO MARTORELL AND
AUGUSTINE L. CAVALLARO, JR.**

Order Scheduling Hearing

In re applications of Luis Prado Martorell, Loiza, P.R., Docket No. 16890, File No. BP-16000; Augustine L. Cavallaro, Jr., Bayamon, P.R., Docket No. 16891, File No. BP-16182; for construction permits.

Pursuant to agreement of counsel at the further prehearing conference held on this date: *It is ordered*, This 12th day of December 1966, that the evidentiary hearing in the above-styled proceeding will commence on March 1, 1967, at 10 a.m., in the offices of the Commission, Washington, D.C.

Released: December 13, 1966.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-13522; Filed, Dec. 15, 1966;
8:49 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 17037]

**AIR EXPRESS CHARGE
INVESTIGATION**

**Notice of Cancellation of Prehearing
Conference**

Notice is hereby given that the prehearing conference in the above-entitled matter now assigned to be held on December 20, 1966, is canceled.

Dated at Washington, D.C., December 13, 1966.

[SEAL] MILTON H. SHAPIRO,
Hearing Examiner.

[F.R. Doc. 66-13502; Filed, Dec. 15, 1966;
8:47 a.m.]

FEDERAL MARITIME COMMISSION

[Independent Ocean Freight Forwarder License 21]

ALBERT FAHNER

Revocation of License

Whereas, by Order to Show Cause served November 30, 1966, the Federal Maritime Commission ordered that Albert Fahner, 17 Cottage Avenue, Staten Island, N.Y. 10308, on or before December 9, 1966, either (1) submit a valid bond effective on or before December 22, 1966, or (2) show cause in writing or request a hearing to show cause why his license should not be suspended or revoked pursuant to section 44(d), Shipping Act, 1916; and

Whereas, Albert Fahner has failed within the time allotted to comply with the Commission's Order to Show Cause.

Now, therefore, by virtue of authority vested in me by the Federal Maritime

Commission as set forth in its Order to Show Cause served November 30, 1966,

It is ordered, That the independent ocean freight forwarder license of Albert Fahner be and is hereby revoked, effective 12:01 a.m., December 22, 1966.

It is further ordered, That Albert Fahner return Independent Ocean Freight Forwarder License No. 21 to the Commission for cancellation.

It is further ordered, That a copy of this order be published in the FEDERAL REGISTER and served on licensee.

JAMES E. MAZURE,
Director,

Bureau of Domestic Regulation.

[F.R. Doc. 66-13500; Filed, Dec. 15, 1966;
8:47 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-13279, etc.]

**COASTAL STATES GAS PRODUCING
CO. ET AL.**

Findings and Order

DECEMBER 6, 1966.

Findings and order after statutory hearing issuing certificates of public convenience and necessity, canceling docket number, dismissing application, amending certificates, permitting and approving abandonment of service, terminating certificates, making successor co-respondent, redesignating proceeding, requiring filing of agreement and undertaking, and accepting related rate schedules and supplements for filing.

Each of the Applicants listed herein has filed an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale and delivery of natural gas in interstate commerce, for permission and approval to abandon service, or a petition to amend an existing certificate authorization, all as more fully described in the respective applications and petitions (and any supplements or amendments thereto) which are on file with the Commission.

The Applicants herein have filed related FPC gas rate schedules and propose to initiate, abandon or add natural gas service in interstate commerce as indicated by the tabulation herein. All sales certificated herein are at rates either equal to or below the ceiling prices established by the Commission's statement of general policy No. 61-1, as amended, or involve sales for which permanent certificates have been previously issued; except that the sales from the Permian Basin area of New Mexico and Texas are authorized to be made at or below the applicable area base rates and under the conditions prescribed in Opinion Nos. 468 and 468-A.

Tamarack Petroleum Co., Inc., Applicant in Docket No. CI67-366,¹ proposes to

¹ The application was originally designated as Docket No. CI67-366. Said designation will be canceled and the authorization will be granted in Docket No. G-16874.

continue the sale of natural gas heretofore authorized in Docket No. G-16874 and made pursuant to Willets, Elmore A., Jr., and Craig, Earle M., Jr.,² FPC Gas Rate Schedule No. 1. Said rate schedule will be redesignated as that of Tamarack. The presently effective rate under said rate schedule is in effect subject to refund in Docket No. RI64-666.³ In its certificate application Tamarack expresses its intention to file an agreement and undertaking to assure the total refund from the time that the increased rate became effective subject to refund; however, by motion filed in Docket No. RI64-666 concurrently with the certificate application Tamarack states that it will be responsible only for refunds of amounts collected by it from the time it acquired the producing properties. Therefore, Tamarack will be made a co-respondent in the proceeding pending in Docket No. RI64-666, the proceeding will be redesignated accordingly, and Tamarack will be required to file an agreement and undertaking to assure the refund of any amounts collected by it in excess of the amount determined to be just and reasonable in said proceeding.

After due notice, no petitions to intervene, notices of intervention, or protests to the granting of any of the respective applications or petitions in this order have been received.

At a hearing held on December 1, 1966, the Commission on its own motion received and made a part of the record in these proceedings all evidence, including the applications, amendments and exhibits thereto, submitted in support of the respective authorizations sought herein, and upon consideration of the record,

The Commission finds:

(1) Each Applicant herein is a "natural-gas company" within the meaning of the Natural Gas Act as heretofore found by the Commission or will be engaged in the sale of natural gas in interstate commerce for resale for ultimate public consumption, subject to the jurisdiction of the Commission, and will therefore, be a "natural-gas company" within the meaning of said Act upon the commencement of the service under the respective authorizations granted hereinafter.

(2) The sales of natural gas hereinbefore described, as more fully described in the respective applications, amendments and/or supplements herein, will be made in interstate commerce, subject to the jurisdiction of the Commission, and such sales by the respective Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are subject to the requirements of subsections (c) and (e) of section 7 of the Natural Gas Act.

² Tamarack is succeeding to Robert K. Kimberlin, Jr. Robert K. Kimberlin, Jr., never received permanent authorization to continue the sale previously rendered by Willets and Craig.

³ Consolidated with the proceeding on the order to show cause issued Aug. 5, 1965, in Docket No. AR61-1, et al.

(3) The sales of natural gas by the respective Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are required by the public convenience and necessity and certificates therefore should be issued as hereinafter ordered and conditioned.

(4) The respective Applicants are able and willing properly to do the acts and to perform the services proposed and to conform to the provisions of the Natural Gas Act and the requirements, rules and regulations of the Commission thereunder.

(5) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Docket No. CI67-366 should be canceled and that the application filed therein should be processed as a petition to amend the certificate issued in Docket No. G-16874 by permitting the successor in interest to continue the service heretofore authorized.

(6) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act and the public convenience and necessity require that the certificate authorizations heretofore issued by the Commission in Dockets Nos. G-12588, G-13279, G-16874, CI64-214, CI64-1333, CI65-116, CI65-461, CI65-561, CI65-587, CI65-817, CI65-933, and CI66-90 should be amended as hereinafter ordered and conditioned.

(7) The sales of natural gas proposed to be abandoned by the respective Applicants, as hereinbefore described, all as more fully described in the tabulation herein and in the respective applications, are subject to the requirements of subsection (b) of section 7 of the Natural Gas Act, and such abandonments should be permitted and approved as hereinafter ordered.

(8) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the certificates of public convenience and necessity heretofore issued to the respective Applicants relating to the abandonments herein after permitted and approved should be terminated.

(9) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the certificate application in Docket No. CI67-478 should be dismissed as moot.

(10) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Tamarack Petroleum Co., Inc., should be a co-respondent in the proceeding pending in Docket No. RI64-666, that the proceeding should be redesignated accordingly, and that Tamarack should be required to file an agreement and undertaking.

(11) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the respective related rate schedules and supplements as designated or redesignated in the tabulation herein should be accepted for filing as hereinafter ordered.

The Commission orders:

(A) Certificates of public convenience and necessity are issued upon the terms and conditions of this order, authorizing the sales by the respective Applicants

herein of natural gas in interstate commerce for resale, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary for such sales, all as hereinbefore described and as more fully described in the respective applications, amendments, supplements and exhibits in this proceeding.

(B) The certificates granted in paragraph (A) above are not transferable and shall be effective only so long as Applicants continue the acts or operations hereby authorized in accordance with the provisions of the Natural Gas Act and the applicable rules, regulations, and orders of the Commission.

(C) The grant of the certificates issued in paragraph (A) above shall not be construed as a waiver of the requirements of section 4 of the Natural Gas Act or of Part 154 or Part 157 of the Commission's regulations thereunder, and is without prejudice to any findings or orders which have been or may hereafter be made by the Commission in any proceeding now pending or hereafter instituted by or against the respective Applicants. Further, our action in this proceeding shall not foreclose nor prejudice any future proceedings or objections relating to the operation of any price or related provisions in the gas purchase contracts herein involved. Nor shall the grant of the certificates aforesaid for service to the particular customers involved imply approval of all of the terms of the respective contracts particularly as to the cessation of service upon termination of said contracts, as provided by section 7(b) of the Natural Gas Act. Nor shall the grant of the certificates aforesaid be construed to preclude the imposition of any sanctions pursuant to the provisions of the Natural Gas Act for the unauthorized commencement of any sales of natural gas subject to said certificates.

(D) The grant of the certificates issued herein on all applications filed after April 15, 1965, is upon the condition that no increase in rate which would exceed the ceiling prescribed for the given area by paragraph (d) of the Commission's statement of general policy No. 61-1, as amended, shall be filed prior to the applicable dates, as indicated by footnotes 1 and 15 in the attached tabulation.

(E) The initial rates for sales authorized in Docket Nos. CI65-561, CI65-587, and CI67-73 shall be the applicable base area rates prescribed in Opinion No. 468, as modified by Opinion No. 468-A, as adjusted for quality, or the contract rates, whichever are lower; and no increases in rate in excess of said initial rates shall be filed before January 1, 1968.

(F) If the quality of the gas delivered by Applicants in Docket Nos. CI65-561, CI65-587, and CI67-73 deviates at any time from the quality standards set forth in Opinion No. 468, as modified by Opinion No. 468-A, so as to require a downward adjustment of the existing rate, a notice of change in rate shall be filed pursuant to the provisions of section 4 of the Natural Gas Act: *Provided, however,* That adjustments reflecting changes in Btu content of the gas shall be computed by the applicable formula and charged

without the filing of notices of changes in rate.

(G) Within 45 days from the date of initial delivery Applicant in Docket No. CI65-561 shall file a rate schedule quality statement in the form prescribed in Opinion No. 468-A. Applicant in Docket No. CI65-587 shall file a rate schedule quality statement within 90 days from the date of initial delivery and Applicant in Docket No. CI67-73 shall file a rate schedule quality statement within 45 days from the date of this order.

(H) A certificate is issued herein in Docket No. CI67-335, subject to the conditions set forth in paragraphs (E), (F), and (G) of the order accompanying Opinion No. 350 (27 FPC 35), except that said certificate shall not be subject to the Commission's ultimate determination in Docket No. R-200.

(I) A certificate is issued herein in Docket No. CI67-450, subject to Applicant submitting an executed amendment deleting the third paragraph of section 2 of article III and section 4 of article III of the contract in their entirety.

(J) Certificates are issued herein in Docket Nos. CI66-1162, CI67-346, CI67-411, CI67-412, CI67-440, and CI67-473, authorizing the respective Applicants to continue the sales of natural gas which were initiated without prior Commission authorization.

(K) If the delivery rate changes to the extent that results in a change in the current rate of 26.0 cents per Mcf at 14.73 p.s.i.a., Applicant in Docket No. CI66-1162 shall file a notice of change in rate pursuant to section 4 of the Natural Gas Act.

(L) Certificates are issued herein in the following dockets, authorizing the respective Applicants to continue the sales of natural gas being rendered on June 7, 1954:

CI67-403	CI67-419	CI67-433
CI67-404	CI67-420	CI67-434
CI67-405	CI67-421	CI67-435
CI67-406	CI67-422	CI67-436
CI67-407	CI67-423	CI67-437
CI67-408	CI67-424	CI67-438
CI67-409	CI67-425	CI67-439
CI67-410	CI67-426	CI67-441
CI67-413	CI67-427	CI67-442
CI67-414	CI67-428	CI67-443
CI67-415	CI67-429	CI67-444
CI67-416	CI67-430	CI67-445
CI67-417	CI67-431	CI67-446
CI67-418	CI67-432	CI67-447

(M) The certificates heretofore issued in Docket Nos. CI65-116, CI65-461, CI65-587, and CI65-817 are amended by adding thereto authorization to sell natural gas to the same purchasers and in the same areas as covered by the original authorizations, pursuant to the rate schedule supplements as indicated in the tabulation herein.

(N) The certificate heretofore issued in Docket No. G-12588 is amended by deleting therefrom authorization to sell natural gas from acreage assigned to Applicant in Docket No. CI67-233.

(O) Docket No. CI67-366 is canceled.

(P) The certificates heretofore issued in Docket Nos. G-13279, G-16874, CI64-214, CI64-1333, CI65-561, and CI65-933 are amended by changing the certificate holders to the respective successors in

interest as indicated in the tabulation herein.

(Q) The certificate heretofore issued in Docket No. CI66-90 is amended to reflect the change in operator from Har-Ken Oil Co. (Operator) et al., to Texas Gas Exploration Corp. (Operator) et al.

(R) The authorization granted in paragraph (P) and (Q) above in Docket Nos. CI64-1333, CI65-933, and CI66-90, respectively, involving the sales of natural gas by Texas Gas Exploration Corp. to its affiliate Texas Gas Transmission Corp., determines the rate which legally may be paid by the buyer to the seller, but is without prejudice to any action which the Commission may take in any future rate proceeding involving either company.

(S) Permission for and approval of the abandonment of service by the respective Applicants, as hereinbefore described, all as more fully described in the tabulation herein and in the respective applications are granted.

(T) Permission and approval of the abandonment of service by Applicant in Docket No. CI67-476 is granted and the certificate application in Docket No. CI67-478 is dismissed as moot.

(U) The certificates heretofore issued in Docket Nos. G-5330 and G-16716 are terminated.

(V) Tamarack Petroleum Co., Inc., shall be a co-respondent in the proceeding pending in Docket No. RI64-666 and the proceeding is redesignated accordingly.⁴

(W) Within 30 days from the issuance of this order, Tamarack Petroleum Co., Inc., shall execute, in the form set out below, and shall file with the Secretary of the Commission an acceptable agreement and undertaking in Docket No. RI64-666 to assure the refund of any amounts collected by it, together with interest at the rate of 7 percent per annum, in excess of the amount determined to be just and reasonable in said proceeding. Unless notified to the contrary by the Secretary of the Commission within 30 days from the date of submission, such agreement and undertaking shall be deemed to have been accepted for filing.

(X) Tamarack Petroleum Co., Inc., shall comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, and the agreement and undertaking submitted by it in Docket No. RI64-666 shall remain in full force and effect until discharged by the Commission.

(Y) The respective related rate schedules and supplements as indicated in the tabulation herein are accepted for filing; further, the rate schedules relating to the successions herein are accepted and redesignated, subject to the applicable Commission regulations under the Natural Gas Act to be effective on the dates as indicated in the tabulation herein.

By the Commission.

[SEAL]

JOSEPH H. GUTRIDE,
Secretary.

⁴ Willets, Elmore A., Jr., and Craig, Earle M., Jr., and Tamarack Petroleum Co., Inc.

Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted		
			Description and date of document	No.	Supp.
G-13279 E 7-26-63	Coastal States Gas Producing Co. (successor to H. L. Hawkins and H. L. Hawkins, Jr. (Operator) et al.).	United Gas Pipe Line Co., Hayes Area, Calcasieu and Jefferson Davis Parishes, La.	H. L. Hawkins and H. L. Hawkins, Jr. (Operator) et al., FPC GRS No. 8.	49	
			Supplement Nos. 1-5.	49	1-5
			Notice of succession 7-22-63.		
			Assignment 6-10-63.	49	6
			Effective date: 5-1-63.		
CI64-214 E 9-14-66	Balden Gas Co. (successor to Rock Castle Gas Co.).	United Fuel Gas Co., Appalachian Field, Martin and Lawrence Counties, Ky.	Rock Castle Gas Co., FPC GRS No. 1.	1	
			Supplement No. 1.	1	1
			Assignment 8-12-65.	1	2
			Effective date: 8-12-65.		
CI64-1333 E 10-11-66	Texas Gas Exploration Corp. (successor to Har-Ken Oil Co., et al.).	Texas Gas Transmission Corp., Midland Gas Area, Muhlenberg County, Ky.	Har-Ken Oil Co. et al., FPC GRS No. 5.	17	
			Notice of succession (undated).		
			Assignment 8-16-66.	17	1
			Effective date: 5-1-66.		
CI65-116 C 10-14-66 ¹	Sun Oil Co. (Southwest Division).	El Paso Natural Gas Co., East Panhandle Field, Wheeler County, Tex.	Supplemental agreement 10-3-66. ²	175	1
CI65-461 C 9-26-66 ¹	Sinclair Oil & Gas Co., et al.	El Paso Natural Gas Co., Basin Dakota Field, San Juan County, N. Mex.	Supplemental agreement 8-25-66. ³	333	3
CI65-561 E 8-19-66	Cities Service Oil Co. (Operator) (successor to Capitlan Petroleum, Inc.).	Natural Gas Pipeline Co. of America, Blount Plant, Roosevelt County, N. Mex.	Capitlan Petroleum, Inc., FPC GRS No. 1.	214	
			Supplement Nos. 1-2.	214	1-2
			Notice of succession 9-15-66.		
			Supplemental agreement 6-15-66. ⁴	214	3
			Assignment 9-1-66. ⁴	214	4
			Effective date: 8-1-66.		
CI65-587 C 6-27-66 ³	Sinclair Oil & Gas Co. ⁴	Northern Natural Gas Co., Hunt Baggett Field, Crockett County, Tex.	Supplemental agreement 4-27-66. ⁵	334	4
CI65-817 C 10-17-66 ²	Jennings Petroleum Corp.	Equitable Gas Co., Salt Lick District, Braxton County, W. Va.	Letter agreement 10-3-66. ⁶	3	3
CI65-933 E 10-11-66	Texas Gas Exploration Corp. (successor to Har-Ken Oil Co. et al.).	Texas Gas Transmission Corp., Midland Field, Muhlenberg County, Ky.	Har-Ken Oil Company et al., FPC GRS No. 6.	18	
			Notice of succession (undated).		
			Assignment 8-16-66.	18	1
			Effective date: 5-1-66.		
CI66-90 10-11-66 ⁷	Texas Gas Exploration Corp. (Operator) et al. (formerly Har-Ken Oil Co. (Operator) et al.).	Texas Gas Transmission Corp., St. Charles Area, Hopkins County, Ky.	Har-Ken Oil Co. (Operator) et al., FPC GRS No. 7.	19	
			Certificate of adoption 10-11-66. ⁸		
			Effective date: 5-1-66.		
CI66-1002 A 4-18-66	Fairmont Oil Co. (successor to Robinson Brothers).	Pennsylvania Gas Co., Sheffield Township, Warren County, Pa.	Contract 3-18-54. ⁹	1	
CI66-1162 A 5-23-66	Henry H. Howard, et al.	Pennsylvania Gas Co., Lafayette Township, McKean County, Pa.	Assignment 2-23-66. ¹⁰	1	1
			Effective date: 1-1-66.		
CI67-73 A 7-19-66 ⁴	Shell Oil Co. ⁵	El Paso Natural Gas Co., Blinberry Field, Lea County, N. Mex.	Contract 1-21-52.	341	
			Supplemental agreement 10-26-59.	341	1
			Supplemental agreement 3-29-63.	341	2
			Supplemental agreement 4-20-66. ¹¹	341	3
			Letter agreement 2-7-51. ¹²	17	
			Contract 5-2-51.	17	1
			Amendment 8-4-55.	17	2
			Letter agreement 12-1-58.	17	3
			Letter agreement 7-1-60.	17	4
			Assignment 11-2-65. ¹³	17	5
			Letter agreement 12-13-65.	17	6
			Effective date: 11-2-65.		
CI67-294 A 9-9-66 ¹	Basin Operating Co. (Operator) et al.	United Gas Pipe Line Co., Joaquin Field, Shelby County, Tex.	Contract 9-1-66.	1	1
CI67-335 A 9-22-66 ¹⁵	Union Oil Co. of California (Operator) et al.	Panhandle Eastern Pipe Line Co., Northeast Seiling Field, Dewey County, Okla.	Letter agreement 9-1-66. ¹⁴	1	
			Contract 8-12-66.	171	
			Compliance 10-21-66. ¹⁵	171	1

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

NOTICES

16169

Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted		Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted	
			Description and date of document	No.				Description and date of document	No.
CI67-424 A 10-6-66 2	E. C. Ware, Trustee	do	Contract 11-6-52 Letter agreement 10-21-52 2	25	CI67-436 A 10-6-66 2	do	do	Contract 11-28-41 (Floyd Parsley Lease)	37
CI67-425 A 10-6-66 1 2	E. C. Ware	United Fuel Gas Co., Lincoln District, Wayne County, W. Va.	Letter agreement 12-15-52 2	25				Letter agreement 10-21-52 2	37
			Contract 10-31-47	26				Letter agreement 12-15-52 2	37
CI67-426 A 10-6-66 1 2	do	United Fuel Gas Co., Kermit District, Mingo County, W. Va.	Letter agreement 10-21-52 2	26	CI67-437 A 10-6-66 1 2	do	United Fuel Gas Co., Kermit District, Mingo County, W. Va.	Contract 3-18-46	38
			Letter agreement 12-15-52 2	27				Letter agreement 10-21-52 2	38
CI67-427 A 10-6-66 1 2	do	United Fuel Gas Co., Kermit District, Mingo County, W. Va.	Contract 7-3-45	27	CI67-438 A 10-6-66 1	do	United Fuel Gas Co., Lee District, Mingo County, W. Va.	Letter agreement 12-15-52 2	39
			Letter agreement 10-21-52 2	27				Letter agreement 10-21-52 2	39
CI67-428 A 10-6-66 1 2	do	United Fuel Gas Co., acresage in Martin County, Ky.	Contract 5-12-52 (Lydia Kirk Lease)	28	CI67-439 A 10-6-66 2	do	United Fuel Gas Co., acresage in Martin County, Ky.	Letter agreement 12-15-52 2	40
			Letter agreement 10-21-52 2	28				Letter agreement 10-21-52 2	40
CI67-429 A 10-6-66 1 2	do	United Fuel Gas Co., Harvey District, Mingo County, W. Va.	Contract 12-20-28	29	CI67-440 A 10-6-66	do	do	Letter agreement 12-15-52 2	41
			Letter agreement 10-21-52 2	29				Contract 10-14-57 (Mary Thomas Lease)	
CI67-430 A 10-6-66 1 2	do	do	Contract 8-24-49 (Lease 1)	30	CI67-441 A 10-6-66 1 2	do	United Fuel Gas Co., Kermit District, Mingo County, W. Va.	Contract 12-14-45	42
			Letter agreement 10-21-52 2	30				Supplemental agree- ment 7-2-46 2	42
CI67-431 A 10-6-66 1 2	do	do	Letter agreement 12-15-52 2	31	CI67-442 A 10-6-66 2	John T. Diederich	United Fuel Gas Co., acresage in Martin County, Ky.	Letter agreement 10-21-52 2	42
			Contract 8-24-49 (Lease 2, Wells 1-2)	31				Letter agreement 12-15-52 2	42
CI67-432 A 10-6-66 1 2	E. C. Ware, Trustee	do	Letter agreement 10-21-52 2	32	CI67-443 A 10-6-66 2	John T. Diederich, agent for D. B. & M. Oil & Gas Co.	do	Contract 11-28-43	1
			Letter agreement 12-15-52 2	32				Letter agreement 10-21-52 2	1
CI67-433 A 10-6-66 1 2	do	do	Contract 7-28-50 (Well 1)	33	CI67-444 A 10-6-66 2	John T. Diederich	do	Letter agreement 12-15-52 2	2
			Letter agreement 10-21-52 2	33				Letter agreement 10-21-52 2	2
CI67-434 A 10-6-66 2	E. C. Ware	United Fuel Gas Co., acresage in Martin County, Ky.	Contract 7-28-50 (Well 2)	34	CI67-445 A 10-6-66 2	do	do	Contract 2-25-42	3
			Letter agreement 10-21-52 2	34				Letter agreement 10-21-52 2	3
			Letter agreement 12-15-52 2	35				Letter agreement 12-15-52 2	3
CI67-435 A 10-6-66 2	do	do	Contract 11-28-41 (J. H. Maynard Lease No. 1)	35	CI67-446 A 10-6-66 2	John T. Diederich, agent for D. B. & M. Oil & Gas Co.	do	Contract 11-28-43	4
			Supplemental agree- ment 4-20-43 2	35				Letter agreement 10-21-52 2	4
			Letter agreement 10-21-52 2	35				Letter agreement 12-15-52 2	4
			Letter agreement 12-15-52 2	36	CI67-447 A 10-6-66 2	John T. Diederich, Trustee	do	Contract 6-8-40	5
			Contract 11-28-41 (J. H. Maynard Lease No. 3)	36				Letter agreement 10-21-52 2	5
			Supplemental agree- ment 4-20-43 2	36	CI67-448 A 10-10-66 1	Anadarko Production Co., et al.	Northern Natural Gas Co., Northwest Perry- on Field, Ochiltree County, Tex.	Contract 10-26-31 (Isabel Patton Lease)	5
			Letter agreement 10-21-52 2	36				Letter agreement 10-21-52 2	5
			Letter agreement 12-15-52 2	36	CI67-450 A 10-10-66 1	W. J. Coppinger (Operator, et al.)	Northern Natural Gas Co., Eubank Field, Haskell County, Kans.	Letter agreement 12-15-52 2	6
				36				Contract 9-28-66 2	124
								Contract 9-29-66 2	7

See footnotes at end of table.

No. 243—7

FEDERAL REGISTER, VOL. 31, NO. 243—FRIDAY, DECEMBER 16, 1966

Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted		
			Description and date of document	No.	Supp.
CI67-452 (G-16716) B 10-10-66	Sunray DX Oil Co.	Texas Gas Transmission Corp., Carlton Area, Ousachita Parish, La.	Notice of cancellation 10-7-66, ^{30 31}	169	3
CI67-459 A 10-11-66 ¹⁴	Union Texas Petroleum, a division of Allied Chemical Corp.	Cities Service Gas Co., South Bishop Field, Ellis County, Okla.	Ratified 9-6-66 ³² Contract 10-29-64 ³	88 88	1
CI67-461 A 10-12-66 ¹	Humble Oil & Refining Co.	Transwestern Pipeline Co., Mendota Field, Hemphill and Roberts Counties, Tex.	Contract 9-30-66 ²	408	
CI67-468 A 10-14-66 ¹	Texaco Inc.	Trunkline Gas Co., South Tomball Field, Harris County, Tex.	Contract 9-16-66 ^{2 33}	382	
CI67-469 A 10-17-66 ¹	Sierra Petroleum Co., Inc.	Cities Service Gas Co., Northwest Boggs Field, Barber County, Kans.	Contract 9-26-66 ²	8	
CI67-470 A 10-17-66 ¹	William M. Wiseman and Alfred T. White (Operator), et al.	Lone Star Gathering Co., Louise G. Williams Field, Victoria County, Tex.	Contract 8-17-66	1	
CI67-471 A 10-17-66 ¹	Huisache Operating Co. (Operator) et al.	Valley Gas Transmission, Inc., Luby Field, Nueces County, Tex.	Contract 9-22-66 ^{2 34}	1	
CI67-473 A 10-14-66	James Drilling Corp. et al.	Consolidated Gas Supply Corp., Luthersburg Field, Clearfield County, Pa.	Contract 11-23-56 ²	7	
CI67-474 A 10-17-66 ¹	Pan American Petroleum Corp.	Panhandle Eastern Pipe Line Co., Interstate Field, Morton County, Kans.	Contract 8-30-66 ²	452	
CI67-475 (G-5330) B 10-17-66	Skelly Oil Co.	Tennessee Gas Pipeline Co., a division of Tameco Inc., Agua Dulce Field, Nueces County, Tex.	Notice of cancellation (undated), ^{31 35}	4	5
CI67-476 (CI67-478) B 10-10-66 ³⁶	Pel-Tex Petroleum Co., Inc. (Operator) et al.	Plaquemines Oil & Gas Co., Inc., Cox Bay Field, Plaquemines Parish, La.	Notice of cancellation 9-29-66, ^{30 31}		
CI67-478 A 10-10-66 ³⁷	do	do	Contract 10-18-63		
CI67-508 A 10-21-66 ¹⁴	Exploration & Development, Inc.	Arkansas Louisiana Gas Co., Southeast Braman Field, Kay County, Okla.	Contract 9-27-66 ²	1	

[Docket No. CP67-156]

CITY OF ANDERSONVILLE, GA., AND
SOUTH GEORGIA NATURAL GAS CO.

Notice of Application

DECEMBER 8, 1966.

Take notice that on December 5, 1966, the city of Andersonville, Ga. (Applicant), filed in Docket No. CP67-156 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing South Georgia Natural Gas Co. (Respondent) to establish physical connection of its facilities with the facilities to be built by Applicant and to sell and deliver to Applicant volumes of natural gas for resale and distribution in Applicant and environs, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to construct a gas distribution system within its town limits and environs in Sumter County, Ga. Respondent owns and operates a 4½-inch O.D. pipeline 0.4 mile south of Applicant. Specifically, Applicant requests that Respondent be ordered to make physical connection of its above-mentioned pipeline with Applicant's proposed facilities and to sell and deliver volumes of natural gas for resale and distribution through Applicant's system.

The estimated third year annual and peak day requirements of Applicant are 64,062 Mcf and 121 Mcf respectively.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 6, 1967.

JOSEPH H. GUTRIDE,
Secretary.[F.R. Doc. 66-13490; Filed, Dec. 15, 1966;
8:46 a.m.]

[Docket No. CP67-158]

EAST FELICIANA PARISH, LA., AND
HUMBLE GAS TRANSMISSION CO.

Notice of Application

DECEMBER 8, 1966.

Take notice that on December 5, 1966, the Gas Utility District No. 2 of East Feliciana Parish, La. (Applicant), Clinton, La. 70722, filed in Docket No. CP67-158 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Humble Gas Transmission Co. (Respondent) to establish physical connection of its facilities with the facilities to be constructed by Applicant and to sell and deliver volumes of natural gas to Applicant for resale and distribution, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

- ¹ Jan. 1, 1968, moratorium provided by the Commission's Statement of General Policy No. 61-1, as amended.
- ² Effective date: Date of initial delivery (Applicant should advise the Commission as to such date).
- ³ Supplemental agreement dated June 15, 1966 adds residue from casinghead gas and is priced in accordance with Opinion No. 468 (calculated to be 14.4 cents).
- ⁴ From Capitan Petroleum, Inc., to Cities Service Oil Co.
- ⁵ Jan. 1, 1968, moratorium provided by Opinion No. 468.
- ⁶ Applicant is willing to accept authorization containing conditions similar to those imposed by Opinion No. 468, as modified by Opinion No. 468-A.
- ⁷ Amendment to the certificate filed to reflect a change in operator only.
- ⁸ Changes operators under existing contract with Texas Gas being operator and Har-Ken the "et al." party now.
- ⁹ Between Robinson Brothers and Pennsylvania Gas Co.; Robinson Brothers have never filed for authorization of this sale.
- ¹⁰ From Robinson Brothers to Harold Platt, et al., owners of Fairmont Oil Co.
- ¹¹ Dedicates the only acreage involved in the application.
- ¹² Ratification by Mobil Oil Corp. of basic contract between Union Producing Co. and buyer dated May 2, 1951; on file as Mobil Oil Corp. FPC GRS No. 111.
- ¹³ Conveys acreage from Mobil Oil Corp. to Crystal Oil & Land Co.
- ¹⁴ Tax reimbursement provisions.
- ¹⁵ July 1, 1967, moratorium provided by the Commission's Statement of General Policy No. 61-1, as amended.
- ¹⁶ Contract price is 17.0 cents per Mcf. By letter filed Oct. 24, 1966, Applicant advised willingness to accept a permanent certificate as conditioned in the temporary certificate (Opinion No. 350).
- ¹⁷ Application erroneously noticed as a partial succession in Docket No. CI67-366; Docket No. CI67-366 will be canceled and the application will be treated as a petition to amend the certificate in Docket No. G-16874.
- ¹⁸ Tamarack is succeeding Robert K. Kimberlin, Jr., who never filed for authorization of this sale.
- ¹⁹ From Willets and Craig to Robert K. Kimberlin, Jr.
- ²⁰ From Robert K. Kimberlin, Jr. to Tamarack Petroleum Co., Inc.
- ²¹ Contract filed as exhibit to certificate application. No rate filings being made at this time.
- ²² Sale being rendered on June 7, 1954.
- ²³ Proposes to increase contract rate to 16.0 cents per Mcf.
- ²⁴ Increases contract rate to 16.0 cents per Mcf.
- ²⁵ Between J. H. Maynard and United Fuel Gas Co.
- ²⁶ From Maynard to E. C. Ware.
- ²⁷ Adds acreage.
- ²⁸ Between Essie Dempsey, et al. and United Fuel (successor to Warfield Natural Gas Co.).
- ²⁹ From Essie Dempsey, et al. to E. C. Ware.
- ³⁰ Source of gas depleted.
- ³¹ Effective date: Date of this order.
- ³² Ratifies contract between Texas Oil & Gas Corp. and buyer; on file as Texas Oil & Gas Corp., FPC GRS No. 49.
- ³³ Provides for a depth limitation of 5,800 feet.
- ³⁴ Provides for a depth limitation of 6,500 feet.
- ³⁵ Cancellation of leases.
- ³⁶ Certificate application filed contemporaneously. No rate schedule No. assigned to related rate filing (sale was being rendered without prior Commission authorization).
- ³⁷ Certificate application filed contemporaneously. No rate schedule No. assigned to rate filing, therefore, said application will be dismissed as moot.

[F.R. Doc. 66-13360; Filed, Dec. 15, 1966; 8:45 a.m.]

Applicant seeks the Commission's order directing Respondent to make physical connection of its facilities with those of Applicant in order to receive a natural gas supply from Humble to resell and distribute to the citizens of the southern section of East Feliciana Parish, La. Service will be provided to the communities of Ethel and Bluff Creek and the area along and adjacent to portions of Louisiana Highways 955, 956, 412, 67, 959, 409, and 63.

The estimated third year annual and peak day requirements of Applicant's system are 61,243 Mcf and 787 Mcf respectively.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 6, 1967.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-13491; Filed, Dec. 15, 1966;
8:46 a.m.]

[Docket No. G-19461]

PANHANDLE EASTERN PIPE LINE CO.

Notice of Petition To Amend

DECEMBER 8, 1966.

Take notice that on January 23, 1963, Panhandle Eastern Pipe Line Co. (Petitioner), 344 Broadway, Kansas City, Mo. 64111, filed in Docket No. G-19461 a petition to amend the order issued May 25, 1961, in said docket by requesting authorization to increase the horsepower of a compressor installation at Waverly Storage Field, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

By the order issued in the instant docket on May 25, 1961, Petitioner was authorized to install 1,330 of compressor horsepower. As of the present filing Petitioner has installed 880 compressor horsepower, consisting of a 330 horsepower engine and a 550 horsepower engine. Petitioner alleges that it would be economically more feasible to complete the installation of the balance of the authorized horsepower by the installation of a 550 horsepower engine than by the installation of a 450 horsepower engine.

Therefore, Petitioner seeks that the order issued in the instant proceeding be amended by authorizing an increase of 100 horsepower compressor capacity by the installation of a 550 horsepower compressor engine.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the

regulations under the Natural Gas Act (§ 157.10) on or before January 5, 1967.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-13493; Filed, Dec. 15, 1966;
8:46 a.m.]

[Docket No. CP67-157]

UNITED NATURAL GAS CO.

Notice of Application

DECEMBER 8, 1966.

Take notice that on December 5, 1966, United Natural Gas Co. (Applicant), 308 Seneca Street, Oil City, Pa. 16301, filed in Docket No. CP67-157 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon certain facilities in Medix Run Field, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

By the order issued September 6, 1966, in Docket No. CP64-67 Applicant and Manufacturers Light & Heat Co. were authorized to move a delivery point located at the Medix Run Field Compressor Station, Benetzette Township, Elk County, Pa., to Gibson Township, Cameron County, Pa. Such order, however, was conditioned upon Applicant's filing an application under section 7(b) of the Act for permission and approval to abandon the Medix Run Station.

Therefore, Applicant specifically requests permission and approval to abandon in place its Medix Run Field Compressor Station.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before January 5, 1967.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-13494; Filed, Dec. 15, 1966;
8:46 a.m.]

FEDERAL TRADE COMMISSION

GRADING AND GRADEMARKING OF SOFTWOOD LUMBER

Notice of Opportunity for Interested Parties To Present Data, Views, or Arguments and Suggestions; Change of Dates

Notice is hereby given that the public hearing before the full Commission on grading and grademarking of softwood lumber, now set for January 11, 1967, has been rescheduled for Monday, March 13, 1967.

Requests have been received from interested parties representing numerous facets of the softwood lumber industry, for additional time in which to prepare for the hearing. The Commission is desirous of obtaining maximum participation by industry members. To encourage the fullest participation possible, the Commission has decided to reschedule the hearing.

The hearing will commence on March 13, 1967, at 10 a.m., e.s.t., in Room 532, Federal Trade Commission Building, Sixth Street and Pennsylvania Avenue, Washington, D.C., at which time and place all interested and affected parties may verbally present data, views, arguments, and suggestions relevant to the grading and grademarking of softwood lumber in the United States of America. Written data, views, arguments, and suggestions will also be considered if mailed to the Secretary, Federal Trade Commission, Sixth Street and Pennsylvania Avenue NW., Washington, D.C. 20580, on or before February 13, 1967. Persons submitting written presentations exceeding two pages should file 12 copies thereof, and persons desiring to make verbal presentations at the hearing on Monday, March 13, 1967, should notify the Secretary of the Commission to this effect, with an estimate of the time required for his verbal presentation, not later than February 13, 1967.

The purpose of this inquiry is to afford the Commission the benefit of the views of all concerned to assist it in reaching a determination as to what action, if any, the Commission should take in the public interest under the statutes administered by it.

To assist the Commission, information and suggestions on the following points are desired:

1. Procedures presently employed in grademarking of softwood lumber.
2. Whether in fact there exists the act or practice of misgrading, or mismarking such lumber, and if so
3. To what extent there is a failure to grademark softwood lumber.
4. Whether these or any other practices in connection with the grading, grademarking, or failure to grademark, of softwood lumber results in deception of the American public and if so the extent of such deception.

5. Possible remedies in the public interest for any deceptive practices thus disclosed.

Interested persons are invited to submit any information pertinent to these matters or other aspects of the subject.

The data, views, or arguments presented orally or in writing will be available examination by interested parties at the Federal Trade Commission, Washington, D.C.

The public hearing which will be held on Monday, March 13, 1967, will be before the full Commission.

Issued: December 15, 1966.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 66-13469; Filed, Dec. 15, 1966;
8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[54-239, 59-112]

PENNZOIL CO. ET AL.

Notice of Filing and Order for Hearing on a Plan and Order Instituting and Consolidating Proceeding and Directing Hearing

DECEMBER 8, 1966.

I. Notice is hereby given that Pennzoil Co. ("Pennzoil"), a registered holding company, and its gas utility subsidiary company, United Gas Corp. ("United"), have jointly filed with this Commission an amended Plan ("Plan"), pursuant to section 11(e) of the Public Utility Holding Company Act of 1935 ("Act") proposing the consolidation of Pennzoil and United into a single corporation. This Plan supersedes the plan dated May 10, 1966 (Holding Company Act Release Nos. 15475 and 15547). All interested persons are referred to said Plan, which is summarized below, for a complete statement of the proposed transactions.

Pennzoil, a Pennsylvania corporation, is primarily engaged, directly and through subsidiary companies (other than United), in the production, transportation, and refining of crude oil and the marketing of motor fuels and lubricants and related products. Pennzoil owns 5,427,598 shares, or 42.01 percent, of the 12,918,982 outstanding shares of common stock of United. Pennzoil registered as a holding company under the Act on December 21, 1965, upon its acquisition, pursuant to a tender offer to the United stockholders, of more than 10 percent of the outstanding shares of the United common stock.

As at September 30, 1966, Pennzoil and subsidiary companies had consolidated assets, per books, of \$341,897,000, of which approximately 67 percent is stated to represent Pennzoil's investment in the common stock of United. Consolidated liabilities, including current liabilities, as of that date, totaled \$262,308,000, of which \$214,975,000 were

represented by Pennzoil's 6 1/4 percent notes payable to banks ("bank loans") due December 31, 1966. Pennzoil's long-term debt, less current maturities, totaled \$31,839,000, which included 4 1/2 percent Convertible Subordinated Debentures in the aggregate principal amount of \$30 million, and 5 percent Convertible Debentures in the aggregate principal amount of \$949,000. Pennzoil has authorized 10 million shares of common stock, \$2.50 par value per share, of which 4,038,071 shares were outstanding at September 30, 1966. The common stock is listed on the New York Stock Exchange, and has recently been quoted at about \$79 per share.

United, a Delaware corporation, is engaged in the distribution of natural gas at retail principally in Texas, and in parts of Louisiana, Mississippi, and Florida. United also owns all of the outstanding capital stocks of Union Producing Co. ("Union"), United Gas Pipe Line Co. ("Pipe Line"), Atlas Processing Co. ("Atlas"), UGC Instruments, Inc. ("Instruments"), and United Overseas Production Corp. ("Overseas"), and approximately 76 percent of the outstanding capital stock of Duval Corp. ("Duval"), all nonutility companies whose operations are described below.

As at September 30, 1966, United and subsidiary companies had consolidated assets, per books, of \$894,818,000 which include property and equipment, less related reserves, of \$719,332,000. Consolidated long-term debt, less current maturities, as of that date, was about \$385 million, including about \$364 million in aggregate principal amount of United's First Mortgage and Collateral Trust Bonds and Sinking Fund Debentures. United then had outstanding, exclusive of treasury shares, 12,918,982 shares of common stock, par value \$10 per share. The common stock is listed on the New York Stock Exchange, and has recently been quoted at about \$52 per share.

The Plan proposes the consolidation of Pennzoil and United into a single corporation organized under the laws of the State of Delaware to be named Pennzoil United, Inc. ("Consolidated Company"). Upon the effective date of the consolidation, the Consolidated Company will acquire the assets of Pennzoil and United, including the retail gas distribution properties of United; and all the nonutility subsidiary companies of United and those of Pennzoil will become subsidiary companies of the Consolidated Company.

The Consolidated Company proposes to issue Common Stock, and two classes of Preference Common Stock, all \$2.50 par value per share. One class of Preference Common Stock will bear an annual dividend rate of \$4.75 per share and the other \$4.00 per share. The Preference Common Stock will be entitled, in preference to the Common Stock, to cumulative cash dividends, payable quarterly, at their respective annual dividend rates. The Preference Common Stock and the Common Stock will be entitled to one vote per share at all meetings of stockholders of the Consolidated Com-

pany, with cumulative voting in respect of the election of directors.

Each share of the \$4.75 dividend Preference Common Stock will be convertible at the option of the holder into 1.4286 shares of Common Stock of the Consolidated Company at any time after the effective date of the consolidation. Each share of the \$4 dividend Preference Common Stock will be convertible at the option of the holder (a) into 1.176 shares of Common Stock of the Consolidated Company during the first 6 years following the effective date of the consolidation, and (b) into 1.053 shares of such common stock during the next succeeding 6 years. The conversion privilege will then terminate.

Commencing 6 years following the effective date of the consolidation both series of Preference Common Stock may be redeemed at any time, in whole or in part, at the option of the Consolidated Company. In the first year the redemption price will be \$106 per share plus accrued dividends to the redemption date. The redemption price will decline \$1 per share in each succeeding year until it reaches \$100 per share plus accrued dividends in the 6th year. The redemption price will then continue and remain at such amounts.

The Plan proposes that for each share of common stock of Pennzoil the holder thereof will receive one share of Common Stock of the Consolidated Company. For each share of United common stock the holder thereof, other than Pennzoil, will receive one-half (1/2) of a share of the \$4 dividend Preference Common Stock, subject to a 30-day option to receive, for all such shares, two-thirds (2/3) of a share of Common Stock of the Consolidated Company for each share of the United common stock which he owns. The 5,427,598 shares of United common stock owned by Pennzoil, and all shares of the common stock of Pennzoil and United held in their respective treasuries, will be canceled.

Except as indicated hereinafter, the Consolidated Company will assume all the liabilities of Pennzoil and of United. Pennzoil's liabilities, as noted, include \$214,975,000 of bank loans which mature on December 31, 1966, and which, in a separate filing, Pennzoil proposes to refinance through an issue and sale of notes in the principal amount of \$215 million, maturing 18 months thereafter (Holding Company Act Release No. 15594).

The Plan provides that, after the approval thereof and prior to the effective date of the consolidation, Pennzoil will call for redemption, at principal amount plus the required premium, its outstanding 5 percent Convertible Debentures in the principal amount of \$381,000 due 1972 and \$568,000 due 1975, or in the aggregate principal amount of \$949,000. It is anticipated that the debenture holders will exercise their conversion rights after the call for redemption, and upon such conversion each holder will receive one share of Common Stock of the Consolidated Company for each share of common stock of Pennzoil. The debentures due 1972 are convertible into

Pennzoil's common stock at a price of \$57 per share, and those due 1975 are convertible at a price of \$30 per share.

The Plan provides that for each \$1,000 principal amount of Pennzoil's \$30 million principal amount of 4½ percent Convertible Subordinated Debentures the holder thereof will receive ten (10) shares of \$4.75 dividend Preference Common Stock. These debentures are subordinate to the outstanding bank loans and are presently convertible into Pennzoil common stock at a price of \$70 per share.

No fractional shares will be issued by the Consolidated Company. The Plan includes specific provisions for the disposition of such fractional shares.

The Plan provides that it is subject to the following conditions, among others: (1) The approval of the Plan by this Commission; (2) the approval and enforcement of the Plan by an appropriate Federal court pursuant to section 11(e) of the Act; and (3) the obtaining by Pennzoil and United of a ruling or closing agreement, satisfactory to them, from the U.S. Treasury Department as to the tax consequences of the transactions necessary to carry out the Plan. Fees and expenses in connection with the Plan will be paid by the Consolidated Company.

The Plan further provides that, after approval of the Plan by the Commission, Pennzoil will file with the Commission an application for an order, to be effective upon the effective date of the consolidation, declaring, in accordance with section 5(d) of the Act, that Pennzoil has ceased to be a holding company and that the registration of Pennzoil under the Act is thereupon terminated. The effectuation of the Plan is subject to the acceptance by Pennzoil of such terms and conditions, if any, that may be imposed by the Commission in the order to be issued under section 5(d) of the Act.

Intervention in the proceeding under section 11(e) has heretofore been granted to the Louisiana Public Service Commission; to the following municipalities in Louisiana: Lake Charles, Crowley, Sulphur, Church Point, Dequincy, Kinder, Oberlin, Opelousas, St. Martinville, West Lake, Abbeville, Franklinton, Mermen-tau, and Estherwood; and to the following municipalities in Mississippi: Biloxi, Ocean Springs, Pass Christian, McComb City, Laurel, and Wiggins.

II. The Commission having been advised by its Division of Corporate Regulation ("Division") that the Division, pursuant to sections 11(a), 18(a), and 18(b) of the Act, has made a preliminary examination of the corporate structures of Pennzoil and of United and the businesses conducted by Pennzoil and United and their subsidiary companies; and it appearing to the Division from such examination that:

1. Pennzoil is a registered holding company and is engaged in the business of producing and selling oil and gas.

2. Pennzoil's voting securities (common stock) are held by the public.

3. The capitalization and surplus of Pennzoil and subsidiary companies con-

solidated as at September 30, 1966, were as follows:

[000's omitted]		
	Amount	Percent
Long-term debt	\$31,839	9.7
6½ percent short-term notes payable to banks, to be refinanced	214,975	65.5
Total debt	246,814	75.2
Minority interest in subsidiary companies consolidated	1,876	.6
Common stock	10,095	3.0
Surplus:		
Additional capital	15,849	4.8
Retained earnings	53,645	16.4
Total common stock and surplus	79,589	24.2
Total capitalization and surplus	328,279	100.0

4. Pennzoil owns 42.01 percent of the outstanding common stock of United; the balance is publicly held.

5. As at September 30, 1966, consolidated long term debt of United and subsidiary companies was \$385,378,000, of which \$32,472,000 matures in 1967. Approximately 24 percent of the outstanding common stock of Duval, a subsidiary company of United, is publicly held.

6. United is a gas utility company as defined in section 2(a)(4) of the Act.

7. Subsidiary companies of United are engaged in businesses as follows: Union and Pipe Line are engaged in the production, purchase, gathering, transportation, and sale, at wholesale, of natural gas, crude oil, and other liquid hydrocarbons. Atlas is engaged in the refining of crude oil and other petroleum liquids. Instruments is engaged in manufacturing and marketing electronic, electrical, and measurement instruments, and other products related to the field of electronics. Overseas conducts natural gas and oil operations in foreign countries. Duval is engaged in the mining, milling, and marketing of copper, molybdenum, potash, sulphur, and other minerals.

8. Pennzoil has nine active subsidiary companies (exclusive of United) including Wolf's Head Oil and Refining Co. ("Wolf's Head") and Elk Refining Co. ("Elk") which are wholly owned, and it owns 52 percent of the common stock of Eureka Pipe Line Co. ("Eureka"). Pennzoil and Wolf's Head each owns and operates an oil products refinery near Oil City, Pa. Elk owns and operates an oil products refinery at Falling Rock, W. Va. Eureka operates a crude oil gathering system and a trunk pipeline in West Virginia. Pennzoil owns producing oil and gas leases and other producing fee mineral interests in the States of Pennsylvania, New York, West Virginia, New Mexico, Texas, South Dakota, California, Wyoming, Oklahoma, and Louisiana, and in Alberta, British Columbia, Saskatchewan, and Ontario, Canada.

9. The holding-company system of Pennzoil is not confined in its operations to those of a single integrated public-utility system, and to such other businesses as are reasonably incidental, or

economically necessary or appropriate to the operations of such integrated public-utility system.

10. The corporate structure or continued existence of one or more companies in the holding-company system of Pennzoil may unduly or unnecessarily complicate the structure, or unfairly or inequitably distribute voting power among security holders, of such holding-company system.

III. It being the duty of the Commission, pursuant to section 11(b)(1) of the Act, to require by order, after notice and opportunity for hearing that each registered holding company, and each subsidiary company thereof, shall take such action as the Commission shall find necessary to limit the operations of the holding-company system of which such company is a part to a single integrated public-utility system, and to such other businesses as are reasonably incidental, or economically necessary or appropriate to the operations of such integrated public-utility systems; and

It being the duty of the Commission, pursuant to section 11(b)(2) of the Act, to require by order, after notice and opportunity for hearing, that each registered holding company take such steps as the Commission shall find necessary to insure that the corporate structure of any company in the holding-company system does not unduly or unnecessarily complicate the structure, or unfairly or inequitably distribute voting power among security holders, of such holding-company system; and

The Commission being required by the provisions of section 11(e) of the Act, before approving any plan filed thereunder, to find, after notice and opportunity for hearing, that such plan, as submitted or as modified, is necessary to effectuate the provisions of section 11(b) and is fair and equitable to the persons affected thereby; and

The Commission deeming it appropriate that notice be given and a hearing held for the purpose of determining what action should be ordered under sections 11(b)(1) and 11(b)(2) in respect of Pennzoil and its subsidiary companies and for the purpose of ascertaining whether the Plan should be approved; and

It appearing that common issues of fact and law arise in connection with the section 11(e) Plan and in connection with the issues involved under sections 11(b)(1) and 11(b)(2), making it appropriate that the two proceedings be consolidated and that Pennzoil and United be made parties to the consolidated proceeding:

It is hereby ordered,

(a) That a proceeding be, and it hereby is, instituted in respect of Pennzoil and its subsidiary companies pursuant to sections 11(b)(1) and 11(b)(2) of the Act.

(b) That said proceeding be, and it hereby is, consolidated with the proceeding in connection with the section 11(e) Plan of Pennzoil and United.

(c) That Pennzoil and its subsidiary companies, including United and its subsidiary companies be, and they hereby

are, made parties to said consolidated proceeding.

(d) That the Louisiana Public Service Commission and the above-named municipalities, having heretofore intervened in the section 11(e) proceeding in respect of the prior plan, be, and they hereby are, made parties to said consolidated proceeding.

(e) That Pennzoil and United each file an answer with the Secretary of the Commission on or before January 17, 1967 to the allegations contained in Part II hereof, in the form prescribed by Rule 25 of the general rules and regulations under the Act. Any of such allegations which are not denied or otherwise controverted shall be deemed to be admitted for the purpose of this proceeding.

It is further ordered, That a hearing in this consolidated proceeding be held on January 24, 1967 at 10 a.m., at the office of the Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549, in such room as may be designated on such date by the hearing room clerk. Any person desiring to be heard in connection with this proceeding or proposing to intervene therein, other than the parties, the Louisiana Public Service Commission, and the above-named municipalities, shall file with the Secretary of the Commission on or before 5 days prior to the date herein fixed for a hearing, a written request relative thereto as provided in Rule 9 of the Commission's rules of practice.

It is further ordered, That a Hearing Examiner, hereafter to be designated, shall preside at said hearing. The officer so designated is hereby authorized to exercise all the power granted to the Commission under section 18(c) of said Act and to a hearing officer under the Commission's rules of practice.

The Division having advised the Commission that, upon the basis of a preliminary examination of the Plan, the following matters and questions are presented for consideration at such hearing, without prejudice, however, to the presentation of additional matters and questions upon further examination:

1. Whether the allegations contained in Part II hereof are true and correct;

2. What steps, if any, should Pennzoil and United and their respective subsidiary companies be required to take to effect compliance with sections 11(b) (1) and 11(b) (2) of the Act;

3. Whether the Plan of Pennzoil and United, as submitted or as it may be modified or amended, is necessary to effectuate the provisions of section 11(b) of the Act;

4. Whether the Plan is fair and equitable to all persons affected thereby;

5. Whether the proposed assumption by the Consolidated Company of the liabilities of Pennzoil and United (including the notes of Pennzoil presently held by the banks or as proposed to be refunded) and the issuance by the Consolidated Company of the Preference Common Stock, are in conformity with the standards of section 7(d) of the Act;

6. Whether, under the applicable provisions of the Act, the transfer of securities, properties, and other assets to, and the acquisition thereof by, the Consolidated Company, and the assumption of liabilities by the Consolidated Company, all as proposed by the Plan, will be detrimental to the public interest or the interest of investors or consumers, or detrimental to the carrying out of the provisions of section 11, and, if not, will serve the public interest by tending towards the economical and efficient development of an integrated public-utility system.

7. Whether the proposed accounting entries are proper.

8. Whether, in general, the transactions proposed in the Plan satisfy the other applicable provisions of the Act and the rules and regulations thereunder.

It is further ordered, That at said hearing evidence shall be adduced with respect to the foregoing matters and questions.

It is further ordered, That jurisdiction be, and it hereby is, reserved to separate, either for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues or questions which may arise in these proceedings, and to take such other action as may appear necessary or appropriate to the orderly and economical disposition of the issues involved.

It is further ordered, That the Secretary of the Commission shall serve notice of such hearing by mailing a copy of this notice and order by registered mail to Pennzoil and United, to the Federal Power Commission, to the Louisiana Public Service Commission and the Public Service Commission of Mississippi; and to the several municipalities named above; that Pennzoil shall mail a copy of this notice and order to the holders of Pennzoil's convertible debentures and to the holders of record of the common stock of Pennzoil and of United at least twenty-five (25) days prior to the date herein fixed as the date for hearing; and that notice of said hearing be given to all other interested persons by a general release of the Commission and by publication of this notice and order in the FEDERAL REGISTER.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 66-13498; Filed, Dec. 15, 1966;
8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 304]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

DECEMBER 13, 1966.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the

new rules in Ex Parte No. MC 67 (49 CFR Part 240) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protest must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 703 (Sub-No. 17 TA), filed December 9, 1966. Applicant: HINCHCLIFF MOTOR SERVICE, INC., 3400 South Pulaski Road, Chicago, Ill. 60623. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, as follows: *Plastic articles cellular, expanded or foamed, urethane (polyurethane) foamed, pads, padding, mattress, upholstery, or solid blocks, sheets, planks, or logs and automobile parts made from plastics or urethane cellular, expanded or foamed, from Breman, Ind., to Detroit, Mich. and points within 35 miles of Detroit; Ann Arbor, Grand Haven, Grand Rapids, Lansing, Plainwell, and Monroe, Mich., and rejected and return shipments, from named points back to Breman, Ind., for 150 days. Send protests to: District Supervisor Charles J. Kudelka, Interstate Commerce Commission, Bureau of Operations and Compliance, Room 1086, U.S. Courthouse and Federal Office Building, 219 South Dearborn Street, Chicago, Ill. 60604.*

No. MC 112520 (Sub-No. 154 TA), filed December 9, 1966. Applicant: McKENZIE TANK LINES, INC., New Quincy Road, Tallahassee, Fla. 32302. Applicant's representative: Schwartz, Proctor and Bolinger, 1730 American Heritage Life Building, Jacksonville, Fla. 32202. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, as follows: *Liquefied petroleum gas, in bulk, in tank vehicles, from Panama City, Fla., to points in Alabama, for 180 days. Supporting shipper: Warren Petroleum Corp., Panama City, Fla. Send protests to: District Supervisor George H. Fauss, Jr., Bureau of Operations and Compliance, Interstate Commerce Commission, 428 Post Office Building, Post Office Box 4969, Jacksonville, Fla.*

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-13504; Filed, Dec. 15, 1966;
8:47 a.m.]

[Notice 1451]

MOTOR CARRIER TRANSFER PROCEEDINGS

DECEMBER 13, 1966.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-69025. By order of December 6, 1966, the Transfer Board, on reconsideration, approved the transfer to Parker Refrigerated Service, Inc., Tacoma, Wash., of the operating rights in certificates Nos. MC-123478 (Sub-No. 2) and MC-123478 (Sub-No. 3), issued January 22, 1962, and August 17, 1965, to Rufus W. Parker, doing business as Parker Refrigerated Service, Tacoma, Wash., authorizing the transportation of: Bananas, and frozen fruits, berries, vegetables, and fish, between points in Washington, Oregon, and California. Dual operations were authorized. Joseph O. Earp, 411 Lyon Building, 607 Third Avenue, Seattle, Wash. 98104, representative for applicants.

No. MC-FC-69202. By order of December 9, 1966, the Transfer Board approved the transfer to Richard Parker, Inc., Hightstown, N.J., of certificate No. MC-92124 (Sub-No. 2) and MC-92124 (Sub-No. 3), issued May 18, 1955, and March 22, 1961, respectively, to Harold Lewis Blackwell, Pennington, N.J., authorizing the transportation of: Fertilizer, fertilizer materials, feed materials,

animal and poultry feed, animal and poultry feed materials, lime, grain, feed, hay, straw, crushed oyster shells in bags, and meat scraps, in bulk, from points as specified in Delaware, Maryland, New Jersey, New York, and Pennsylvania, to points in New Jersey, New York, and Pennsylvania, as indicated. Robert Watkins, 170 South Broad Street, Trenton, N.J. 08608, attorney for applicants.

No. MC-FC-69203. By order of December 7, 1966, the Transfer Board approved the transfer to Frederick A. Zank, doing business as Wisconsin Northern Transportation Co., Vernon Street, Washington Heights, Eau Claire, Wis. 54701, of the operating rights of Frederick A. Zank, and Duane G. Rahl, a partnership, doing business as Wisconsin Northern Transportation Co., Vernon Street, Washington Heights, Eau Claire, Wis. 54701, in certificates Nos. MC-107206 and MC-107206 (Sub-No. 2), issued August 16, 1960, and February 6, 1963, respectively, authorizing the transportation, over regular routes, of passengers and their baggage, and express, newspapers, and mail, in the same vehicle with passengers, between Eau Claire, Wis., and Duluth, Minn., and of passengers and their baggage, and express and newspapers, in the same vehicle with passengers, between La Crosse, Wis., and Eau Claire, Wis.

No. MC-FC-69209. By order of December 6, 1966, the Transfer Board approved the transfer to Niagara Falls Coach Lines, Inc., Niagara Falls, N.Y., of the operating rights in certificates Nos. MC-89968 and MC-89968 (Sub-No. 2), issued December 6, 1939, and June 21, 1965, respectively, to Michael J. Argy, doing business as Niagara Falls Coach Lines, Niagara Falls, N.Y., authorizing the transportation, over irregular routes, of passengers and their baggage, in charter or special operations, with certain restrictions, from points in Niagara County, N.Y., to the United States-Canada boundary line, and return. Bruce E. Mitchell, 1735 K Street NW., Washington, D.C. 20006, attorney for applicants.

ada boundary line, and return. Bruce E. Mitchell, 1735 K Street NW., Washington, D.C. 20006, attorney for applicants.

No. MC-FC-69228. By order of December 9, 1966, the Transfer Board approved the transfer to Paramount Movers, Inc., Denver, Colo., of the certificate in No. MC-125274, issued August 26, 1965, to Moore Van Lines, Inc., Kansas City, Mo., and authorizing the transportation of: Household goods and emigrant movables, between Wever, Iowa, and points within 10 miles thereof, on the one hand, and, on the other, points in Illinois; and, household goods between Burlington, Iowa, and points within 50 miles thereof, on the one hand, and, on the other, points in Missouri, Minnesota, Wisconsin, Michigan, and Indiana; and between points in Illinois, Iowa, and Nebraska. Richard A. Zarlengo, 595 Capitol Life Center, East 16th Avenue and Grant Street, Denver, Colo. 80203, attorney for applicants.

No. MC-FC-69238. By order of December 7, 1966, the Transfer Board approved the transfer to Roberts Trucking Co., Inc., Poteau, Okla., of the operating rights of Vernon Roberts, doing business as Roberts Trucking Co., Poteau, Okla., in certificates Nos. MC-126243, MC-126243 (Sub-No. 1), and MC-126243 (Sub-No. 2), issued January 14, 1965, April 16, 1965, and October 3, 1966, respectively, authorizing the transportation, over regular routes, of general commodities, excluding household goods, commodities in bulk, and other specified commodities, between Fort Smith, Ark., and Wilburton, Okla., between Heavener, Okla., and Fort Smith, Ark., and between Wilburton, Okla., and McAlester, Okla. Max G. Morgan, 450 American National Building, Oklahoma City, Okla. 73102, attorney for applicants.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-13505; Filed, Dec. 15, 1966;
8:47 a.m.]

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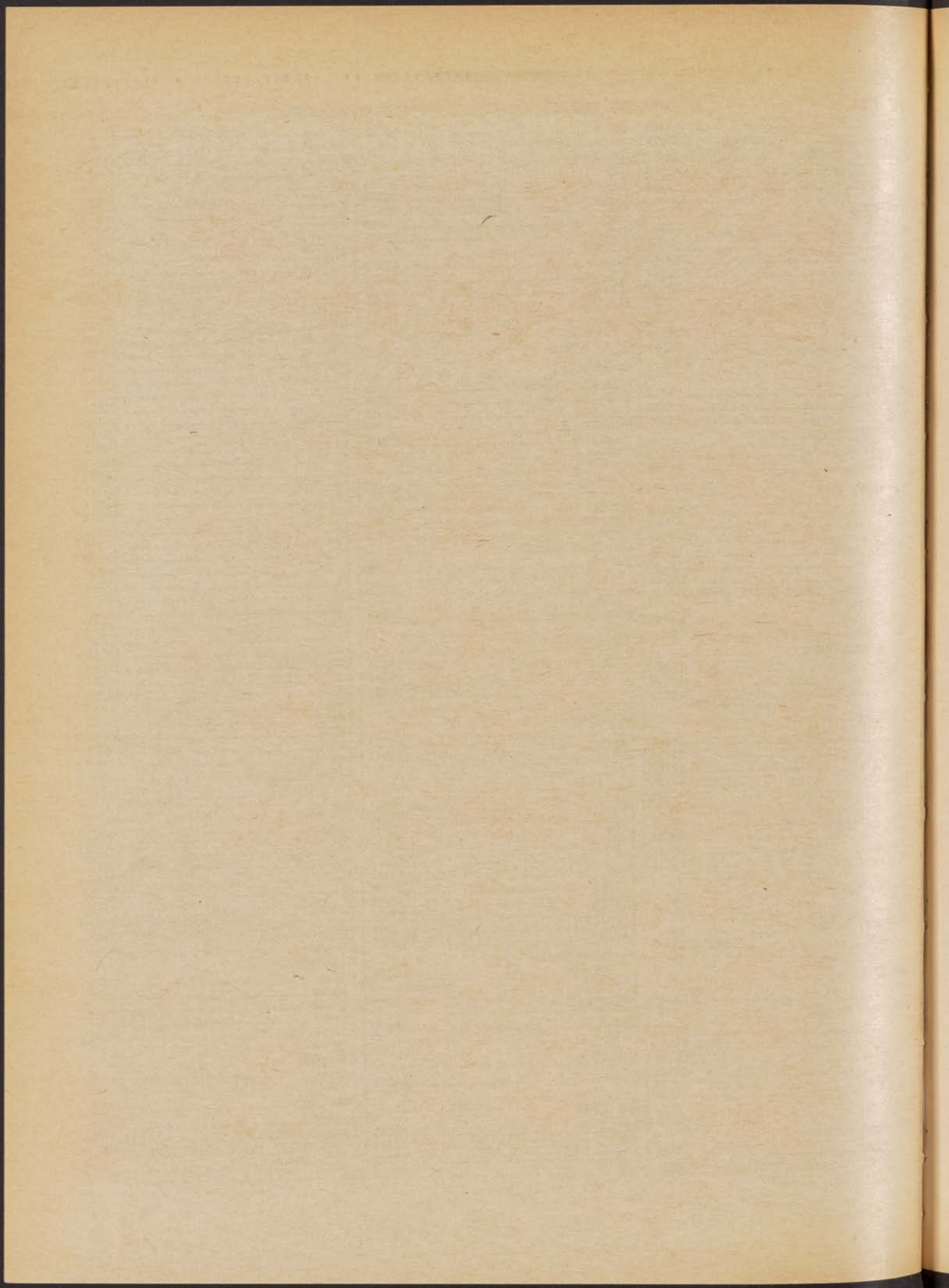
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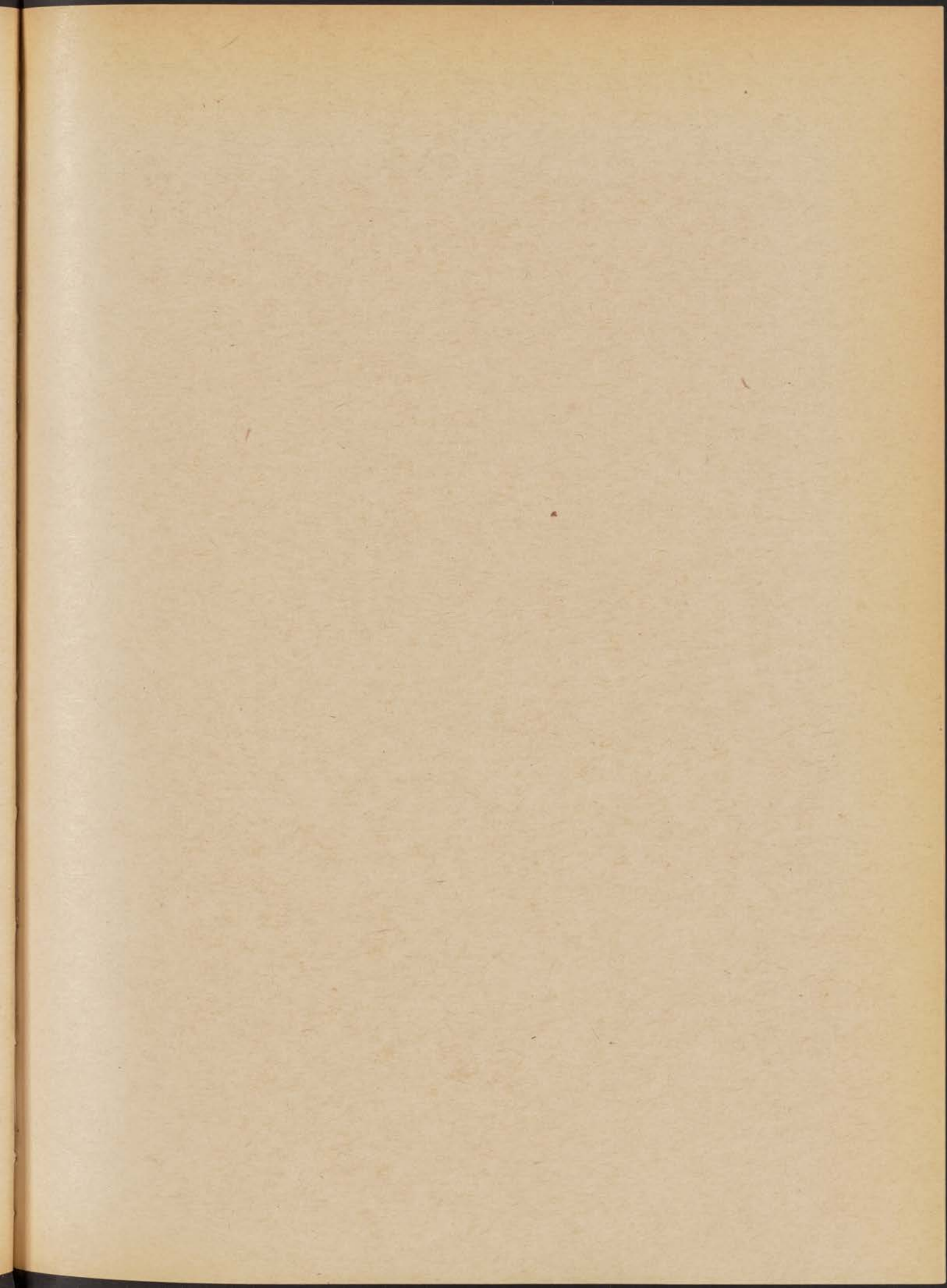
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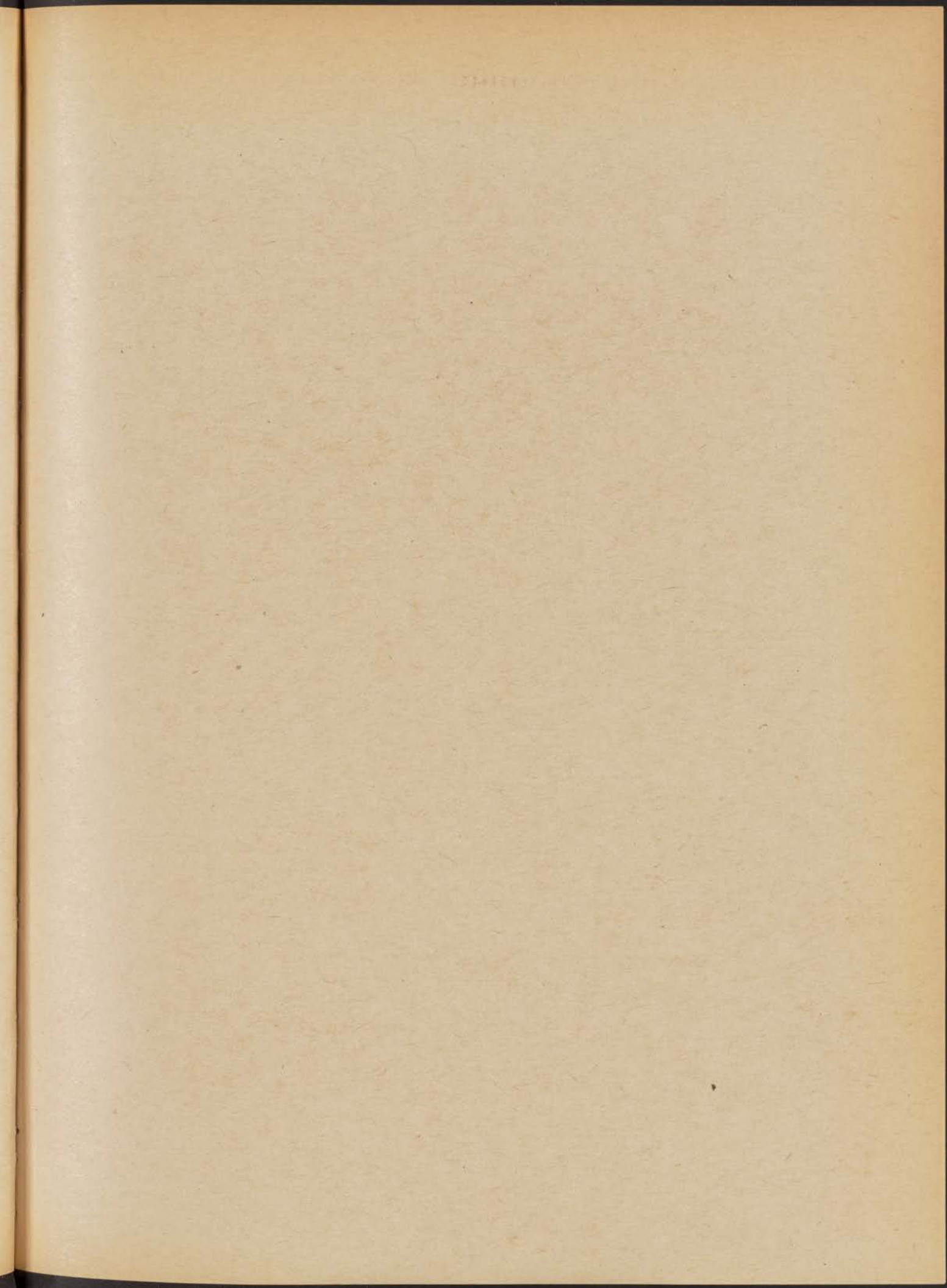
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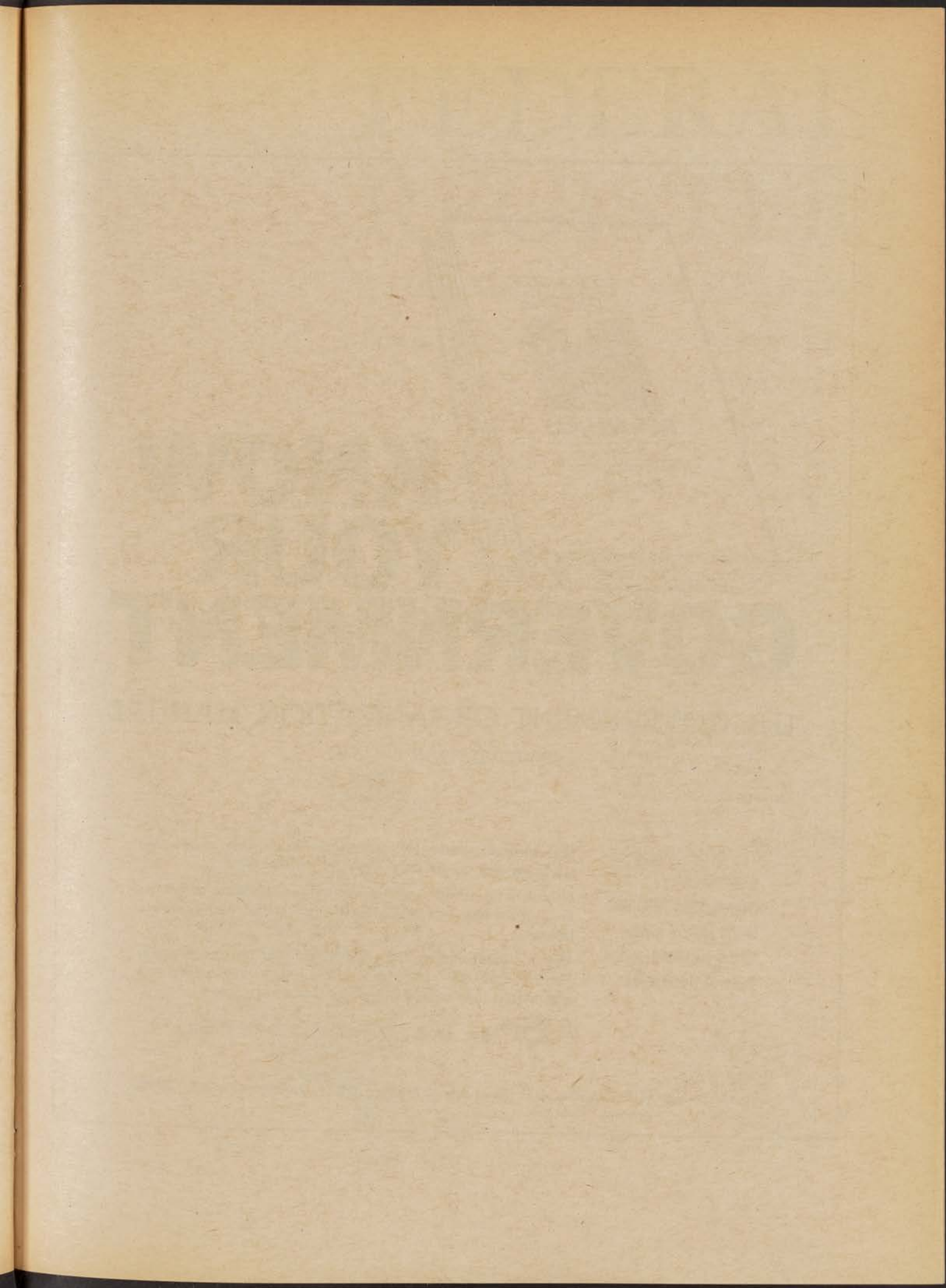
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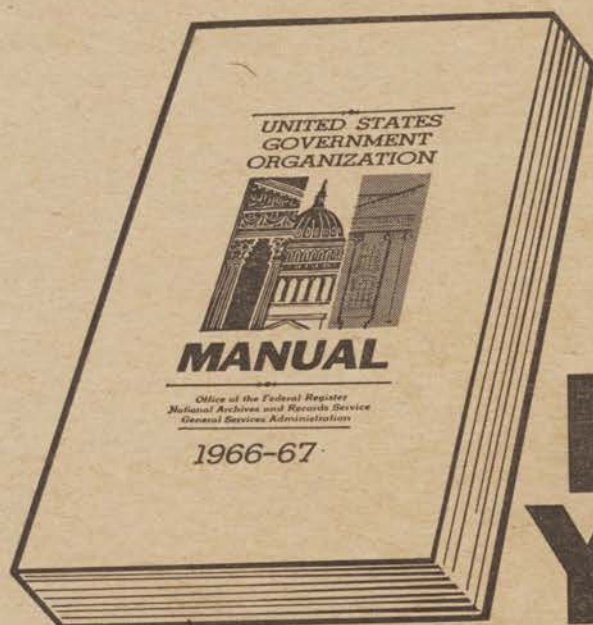
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